



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

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No. 40] The J&K Govt. Gazette, 3rd Jan., 2019/13th Pausa, 1940. 601
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Notification

No. 1006 Dated 24-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Wali Mohammad Dar S/o Mr. Gh. Mohd. Dar R/o Kripal Pora, Payeen, Pattan, Baramulla vide Notification No. 1331 dated 12-12-2017 has been declared as absolute/final.

By order.

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Notification

No. 1007 Dated 24-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Ashish Manhas S/o Mr. Jagdev Singh Manhas R/o H. No. 533, Lane No. 02, Naseeb Nagar, Janipur, Jammu vide Notification No. 18 dated 06-04-2017 has been declared as absolute/final.

By order.

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Notification

No. 1008 Dated 24-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Meenakshi Manhas D/o Mr. Joginder Singh Manhas R/o H. No. 176, Nand Bab Colony, Lala Da Bagh, Jammu vide Notification No. 953 dated 14-02-2017 has been declared as absolute/final.

By order.

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Notification

No. 1009 Dated 24-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Jyoti Devi D/o Mr. Tarsem Lal R/o W. No. 6, H. No. 161, Bishnah Road, Bari Brahmana, Samba vide Notification No. 1059 dated 27-03-2017 has been declared as absolute/final.

By order.

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Notification

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Danishta Shafi D/o Mr. Mohd Shafi Mir R/o Breenti, Batpora, District Anantnag vide Notification No. 849 dated 08-01-2014 has been declared as absolute/final.

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Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Nuzhatul Amin Chowdery D/o Mr. Mohd. Amin Chowdery R/o Chowdery Mohalla, Tehsil Handwara, District Kupwara vide Notification No. 587 dated 20-09-2013 has been declared as absolute/final.

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Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Rekha Qazi D/o Mr. Jawahar Lal Qazi R/o Mouza Zevan, District Srinagar vide Notification No. 666 dated 29-12-2015 has been declared as absolute/final.

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Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Bharat Kumar S/o Mr. Bodh Raj R/o JMC 1018, Jawahar Nagar., Talab Tillo, Jammu vide Notification No. 357 dated 05-10-2015 has been declared as absolute/final.

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No. 40] The J&K Govt. Gazette, 3rd Jan., 2019/13th Pausa, 1940. 603
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Notification

No. 1048 Dated 24-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Stanzin Namgail S/o Mr. Tsewang Nurboo R/o Phyang Goan (Deston), Tehsil and District Leh, A/P H. No. 80-B, Gali No. 13, Sector-6, Nanak Nagar, Jammu vide Notification No. 883 dated 07-02-2017 has been declared as absolute/final.

By order.

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Notification

No. 1049 Dated 24-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Deepmala D/o Mr. Kuldeep Singh R/o Arnia, Kool Kalan, Bishnah, Jammu vide Notification No. 24 dated 18-04-2015 has been declared as absolute/final.

By order.

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Notification

No. 1050 Dated 24-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Nusrat Nabi D/o Mr. Ghulam Nabi Sofi R/o Sogam, Chadoora, Mohalla Kobpura, Budgam vide Notification No. 396 dated 05-10-2015 has been declared as absolute/final.

By order.

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Notification

No. 1051 Dated 24-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Gourav Parashar S/o Mr. Jyoti Saroop R/o Ward No. 3, Nowshera, District Rajouri vide Notification No. 652 dated 29-12-2015 has been declared as absolute/final.

By order.

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Notification

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mission as an Advocate granted

By order _____

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2014-1-24

mission as an Advocate granted

By order _____

References

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mission as an Advocate granted

By order _____

2.3.1.2. *Phylogenetic analysis*

1504

mission as an Advocate granted

By order _____

No. 40] The J&K Govt. Gazette, 3rd Jan., 2019/13th Pausa, 1940. 605
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Notification

No. 1056 Dated 24-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Neelam Singh S/o Mr. Sudesh Singh R/o Pogal Paristan, Ramban, A/P Rehari Colony, Quarter No. 176, Jammu vide Notification No. 808 dated 12-02-2016 has been declared as absolute/final.

By order.

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Notification

No. 1057 Dated 24-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Nikhileshwar Singh S/o Mr. Ishwar Lal Thakur R/o H. No. 53, W. No. 5, Barrian, Udampur vide Notification No. 812 dated 12-02-2016 has been declared as absolute/final.

By order.

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Notification

No. 1058 Dated 24-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Suyash Singh S/o Mr. Gandharb Singh Chandail R/o Village Rehi (Shiva), Doda, A/P.H. No. 3, Lane No. 34, Greater Kailash, Jammu vide Notification No. 1095 dated 17-03-2016 has been declared as absolute/final.

By order.

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Notification

No. 1059 Dated 24-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Mudaseer Qurashi S/o Mr. Ab. Majeed Qurashi R/o Chamkote, Karnah, Kupwara vide Notification No. 99 dated 23-05-2013 has been declared as absolute/final.

By order.

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Notification

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Murtaza Nabi S/o Mr. Gh. Nabi Shah R/o H. No. 302, M.I.G. Colony, Bemina, Srinagar vide Notification No. 439 dated 04-09-2013 has been declared as absolute/final.

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Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Shivam Sachdev S/o Mr. Sanjay Kumar R/o W. No. 1, Near Co-operative Society, College Road, Kathua vide Notification No. 842 dated 15-02-2016 has been declared as absolute/final.

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Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Shaizad Hussain S/o Mr. Farid Hussain R/o W. No. 71, Sidhra Bye-Pass, Jammu vide Notification No. 845 dated 15-02-2016 has been declared as absolute/final.

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Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Richa Mahajan D/o Mr. Ram Parshad R/o W. No. 9, Mohalla Parialwund, Kathua vide Notification No. 347 dated 06-06-2016 has been declared as absolute/final.

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No. 40] The J&K Govt. Gazette, 3rd Jan., 2019/13th Pausa, 1940. 607
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Notification

No. 1071 Dated 25-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Arti Sharma D/o Mr. Pritam Lal R/o Village Sobka, P/O Gharota, Tehsil Bhalwal, District Jammu vide Notification No. 564 dated 02-08-2016 has been declared as absolute/final.

By order.

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Notification

No. 1074 Dated 25-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Renu Bala D/o Mr. Ashok Kumar R/o Village Chackrohi, R. S. Pura, Jammu vide Notification No. 1097 dated 17-03-2016 has been declared as absolute/final.

By order.

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Notification

No. 1075 Dated 25-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Rajet Ramit S/o Mr. Bishan Lal R/o Payrote (Mansar), P/S Doda, Police Post, Pul Doda vide Notification No. 326 dated 06-06-2016 has been declared as absolute/final.

By order.

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Notification

No. 1078 Dated 25-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Kumari Sonika D/o Mr. Bachan Singh R/o G-14, Shanti Nagar, P/O Tope Sherkhania, Jammu vide Notification No. 1123 dated 17-03-2016 has been declared as absolute/final.

By order.

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Notification

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Irtiyaza Lateef D/o Mr. Mohd Lateef Mir R/o Gulab Bagh, Hazratbal, Mir Mohalla, Srinagar vide Notification No. 829 dated 16-08-2017 has been declared as absolute/final.

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No. 1094 Dated 25-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Pirzada Ather Manzoor S/o Mr. Pirzada Manzoor Ahmad R/o Panchan, Bandipora, A/P Gazaliabad, Lane-1, HMT, Zainakote, Srinagar vide Notification No. 918 dated 19-08-2017 has been declared as absolute/final.

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No. 1095 Dated 25-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Ishrat Akhter D/o Mr. Ghulam Mohi-ud-Din Rather R/o Beehama, Ganderbal vide Notification No. 1269 dated 07-12-2017 has been declared as absolute/final.

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No. 1099 Dated 25-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Ashaq Hussain Baba S/o Mr. Mohd Ayoub Baba R/o Charar-i-Sharief, Mohalla Talab-i-Kalan, District Budgam vide Notification No. 799 dated 16-08-2017 has been declared as absolute/final.

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No. 40] The J&K Govt. Gazette, 3rd Jan., 2019/13th Pausa, 1940. 609
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Notification

No. 1101 Dated 25-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Khursheed Ahmad Bhat S/o Mr. Khazir Mohammad Bhat R/o Punzwa Vilgam, Handwara, Kupwara vide Notification No. 1260 dated 07-12-2017 has been declared as absolute/final.

By order.

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Notification

No. 1102 Dated 25-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Ali Asgar S/o Mr. Ali Mohd R/o Karith, Kander Khour, Tehsil Shargul, District Kargil, A/P Lal Bazar, Omer Colony-B, Lane-04, H. No. 111, Srinagar vide Notification No. 1372 dated 29-12-2017 has been declared as absolute/final.

By order.

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Notification

No. 1113 Dated 25-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Zahoor Ahmad Malik S/o Late Mr. Nazeer Ahmad Malik R/o Malik Mohalla, Sonapah, Beerwah, Budgam vide Notification No. 1350 dated 13-12-2017 has been declared as absolute/final.

By order.

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Notification

No. 1114 Dated 25-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Fehmeeda Akhter D/o Mr. Ab. Ahad Malik R/o Malik Mohalla, Arwah, Beerwah, Budgam vide Notification No. 812 dated 16-08-2017 has been declared as absolute/final.

By order.

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Notification

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Kulsuma Aslam D/o Mr. Mohd Aslam Baba R/o Sayeed Fazal Abad, Pandach, Ganderbal vide Notification No. 1258 dated 07-12-2017 has been declared as absolute/final.

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Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Lateef Ahmad Shah S/o Mr. Gulam Ahmad Shah R/o Harran, Tull-Mullah, Ganderbal vide Notification No. 1256 dated 07-12-2017 has been declared as absolute/final.

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Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Ayaz Majeed Lone S/o Mr. Ab. Majeed Lone R/o Gamraj, Tehsil Tral, District Pulwama vide Notification No. 1383 dated 29-12-2017 has been declared as absolute/final.

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Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Tanveer Ahmad Mir S/o Mr. Sonaullah Mir R/o Batapora, Kralpora, Mir Mohalla, Kupwara vide Notification No. 159 dated 05-03-2018 has been declared as absolute/final.

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No. 40] The J&K Govt. Gazette, 3rd Jan., 2019/13th Pausa, 1940. 611
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Notification

No. 1125 Dated 25-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Syed Mansoor Bukhari S/o Syed Ashaq Hussain Bukhari R/o H. No. 27, W. No. 2, Yatoo Mohalla, Shivpora, Srinagar vide Notification No. 25 dated 05-04-2018 has been declared as absolute/final.

By order.

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Notification

No. 1125-A Dated 25-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Mohit Sharma S/o Mr. Sat Pal Sharma R/o Doomi Mohalla, No. 04, Tehsil Bhalwal, District Jammu A/P House No. 112, Ward No. 9, Tehsil Bhalwal, District Jammu vide Notification No. 1546 dated 03-03-2018 has been declared as absolute/final.

By order.

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Notification

No. 1127 Dated 25-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Tawseef Ali Wani S/o Mr. Ali Mohd. Wani R/o Mahwra, Budgam, Alamdar Colony, Budgam vide Notification No. 1692 dated 06-03-2018 has been declared as absolute/final.

By order.

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Notification

No. 1128 Dated 25-10-2018.

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Mr. Sharad Sharma S/o Mr. Suman Kishore Sharma R/o H. No. 15, W. No. 13, Akhiyarabad, Tehsil and District Kishtwar vide Notification No. 20 dated 05-04-2018 has been declared as absolute/final.

By order.

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Notification

Provisional admission as an Advocate granted under the Advocates Act, 1961 in favour of Ms. Rafia Ajaz Mir D/o Mr. Ajaz Ahmad R/o Gratabal, Nawa-Kadal, Srinagar vide Notification No. 912 dated 19-08-2017 has been declared as absolute/final.

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No. 1162 Dated 12-11-2018.

It is hereby notified that vide High Court Order dated 23-10-2018 Mr. Durga Sandhya Shubham S/o Mr. Durga Dass R/o Gurah Jattan, Ghagwal, Samba, A/p Rehari Colony, 312 F/A, Bharat Nagar, Rehari Colony, Jammu has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification, subject to the verification of his Provisional/LL.B Degree Certificate from concerned University and verification of his character and antecedents from CID. His name has been entered under Serial No. JK-626/18 in the Roll of Advocates maintained by this Registry.

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Notification

No. 1163 Dated 13-10-2018.

It is hereby notified that vide High Court Order dated 23-10-2018 Mr. Supreet Ranjan Singh Johal S/o Mr. Harbans Singh Johal R/o F/254, Sainik Colony, Bahu, Jammu has been admitted and enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for a period

No. 40] The J&K Govt. Gazette, 3rd Jan., 2019/13th Pausa, 1940. 613
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of one year from the date of issuance of this notification, subject to the
verification of his Provisional/LL.B Degree Certificate from concerned
University and verification of his character and antecedents from CID. His
name has been entered under Serial No. JK-666/18 in the Roll of Advocates
maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought
before the date of expiry unless the absolute/final enrolment as an Advocate
is ordered therebefore.

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Notification

No. 1164 Dated 13-11-2018.

It is hereby notified that vide High Court Order dated 23-10-2018
Ms. Suffiya Yousuf D/o Mr. Mohammad Yousuf Dar R/o Latishot Tujar,
Tehsil Bomai, Sopore, District Baramulla has been admitted and enrolled
as an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally
for a period of one year from the date of issuance of this notification,
subject to the verification of her Provisional/LL.B Degree Certificate from
concerned University and verification of her character and antecedents
from CID. Her name has been entered under Serial No. JK-653/18 in the
Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought
before the date of expiry unless the absolute/final enrolment as an Advocate
is ordered therebefore.

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Notification

No. 1169 Dated 15-11-2018.

It is hereby notified that vide High Court Order dated 23-10-2018
Mr. Kamal Mehendru S/o Mr. B. L. Mahendru R/o 276-A, Bakshi Nagar,
Jammu has been admitted and enrolled as an Advocate on the Roll of
Jammu and Kashmir Bar Council provisionally for a period of one year

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from the date of issuance of this notification, subject to the verification of
his Provisional/LL.B Degree Certificate from concerned University and
verification of his character and antecedents from CID. His name has
been entered under Serial No. JK-635/18 in the Roll of Advocates
maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought
before the date of expiry unless the absolute/final enrolment as an Advocate
is ordered therebefore.

Notification

Notification

No. 1170 Dated 15-11-2018.

It is hereby notified that vide High Court Order dated 23-10-2018
Mr. Mudasir Maqbool Bhat S/o Mr. Mohmad Maqbool Bhat R/o Marat
Gam, Handwara, District Kupwara has been admitted and enrolled as an
Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for
a period of one year from the date of issuance of this notification, subject to
the verification of his Provisional/LL.B Degree Certificate from concerned
University and verification of his character and antecedents from CID. His
name has been entered under Serial No. JK-637/18 in the Roll of Advocates
maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought
before the date of expiry unless the absolute/final enrolment as an Advocate
is ordered therebefore.

Notification

Notification

No. 1171 Dated 15-11-2018.

It is hereby notified that vide High Court Order dated 23-10-2018
Mr. Sajad Ahmad Dar S/o Mr. Wali Mohmad Dar R/o Malla Pora, Seh
Kano, Dar Mohalla, Beerwah, Budgam has been admitted and enrolled as
an Advocate on the Roll of Jammu and Kashmir Bar Council provisionally

No. 40] The J&K Govt. Gazette, 3rd Jan., 2019/13th Pausa, 1940. 615
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for a period of one year from the date of issuance of this notification,
subject to the verification of his Provisional/LL.B Degree Certificate from
concerned University and verification of his character and antecedents
from CID. His name has been entered under Serial No. JK-658/18 in the
Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought
before the date of expiry unless the absolute/final enrolment as an Advocate
is ordered therebefore.

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Notification

No. 1172 Dated 15-11-2018.

It is hereby notified that vide High Court Order dated 23-10-2018
Mr. Ashiv Choudhary S/o Mr. Charan Choudhary R/o 505/5, Nanak Nagar,
Jammu has been admitted and enrolled as an Advocate on the Roll of
Jammu and Kashmir Bar Council provisionally for a period of one year
from the date of issuance of this notification, subject to the verification of
his Provisional/LL.B Degree Certificate from concerned University and
verification of his character and antecedents from CID. His name has
been entered under Serial No. JK-615/18 in the Roll of Advocates
maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought
before the date of expiry unless the absolute/final enrolment as an Advocate
is ordered therebefore.

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Notification

No. 1173 Dated 15-11-2018.

It is hereby notified that vide High Court Order dated 23-10-2018
Mr. Aamir Mohi-ud-Din S/o Mr. Gh. Mohi-ud-Din Rather R/o Panath,
Tengpora, Quazigund, Anantnag has been admitted and enrolled as an
Advocate on the Roll of Jammu and Kashmir Bar Council provisionally for

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a period of one year from the date of issuance of this notification, subject to
the verification of his Provisional/LL.B Degree Certificate from concerned
University and verification of his character and antecedents from CID. His
name has been entered under Serial No. JK-616/18 in the Roll of Advocates
maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought
before the date of expiry unless the absolute/final enrolment as an Advocate
is ordered therebefore.

Notification

Notification

No. 1174 Dated 15-11-2018.

It is hereby notified that vide High Court Order dated 23-10-2018
Ms. Asiya Jamal D/o Mr. Mohammad Jamal Magray R/o Bonizal Haripora,
Kangan, Ganderbal has been admitted and enrolled as an Advocate on the
Roll of Jammu and Kashmir Bar Council provisionally for a period of one
year from the date of issuance of this notification, subject to the verification
of her Provisional/LL.B Degree Certificate from concerned University and
verification of her character and antecedents from CID. Her name has
been entered under Serial No. JK-617/18 in the Roll of Advocates
maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought
before the date of expiry unless the absolute/final enrolment as an Advocate
is ordered therebefore.

Notification

Notification

No. 1175 Dated 15-11-2018.

It is hereby notified that vide High Court Order dated 23-10-2018
Ms. Aarifa Rashid D/o Mr. Abdul Rashid Rather R/o Rather Mohalla/
Asham Sonawari, Bandipora has been admitted and enrolled as an Advocate
on the Roll of Jammu and Kashmir Bar Council provisionally for a period of

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one year from the date of issuance of this notification, subject to the
verification of her Provisional/LL.B Degree Certificate from concerned
University and verification of her character and antecedents from CID.
Her name has been entered under Serial No. JK-618/18 in the Roll of
Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought
before the date of expiry unless the absolute/final enrolment as an Advocate
is ordered therebefore.

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Notification

No. 1176 Dated 15-11-2018.

It is hereby notified that vide High Court Order dated 23-10-2018
Mr. Abid Tahir Shora S/o Mr. Mohammad Tahir Shora R/o 109, Alamdar
Colony, Bemina, Srinagar has been admitted and enrolled as an Advocate
on the Roll of Jammu and Kashmir Bar Council provisionally for a period of
one year from the date of issuance of this notification, subject to the
verification of his Provisional/LL.B Degree Certificate from concerned
University and verification of his character and antecedents from CID. His
name has been entered under Serial No. JK-619/18 in the Roll of Advocates
maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought
before the date of expiry unless the absolute/final enrolment as an Advocate
is ordered therebefore.

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Notification

No. 1177 Dated 15-11-2018.

It is hereby notified that vide High Court Order dated 23-10-2018
Mr. Ajaz Ahmad Laway S/o Mr. Gul Mohd Laway R/o Ladar Matou,
Khanabal, Anantnag has been admitted and enrolled as an Advocate on
the Roll of Jammu and Kashmir Bar Council provisionally for a period of

618 The J&K Govt. Gazette, 3rd Jan., 2019/13th Pausa, 1940. [No. 40
one year from the date of issuance of this notification, subject to the
verification of his Provisional/LL.B Degree Certificate from concerned
University and verification of his character and antecedents from CID. His
name has been entered under Serial No. JK-621/18 in the Roll of Advocates
maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought
before the date of expiry unless the absolute/final enrolment as an Advocate
is ordered therebefore.

Notification

Notification

No. 1177-A Dated 15-11-2018.

It is hereby notified that vide High Court Order dated 23-10-2018
Mr. Abdul Manan Choudhary S/o Mr. Mohd Anwar Choudhary R/o
EP-715, Bawe Wali Gali, Shahidi Chowk, Jammu has been admitted and
enrolled as an Advocate on the Roll of Jammu and Kashmir Bar Council
provisionally for a period of one year from the date of issuance of this
notification, subject to the verification of his Provisional/LL.B Degree
Certificate from concerned University and verification of his character
and antecedents from CID. His name has been entered under Serial
No. JK-619/18 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought
before the date of expiry unless the absolute/final enrolment as an Advocate
is ordered therebefore.

(Sd.) MOHAMMAD YASIN BEIGH,

Joint Registrar (Admn.).



Separate paging is given to this part in order that it may be filed as a separate compilation.

1. Mr. Umang Narula, IAS, Principal Secretary to the Governor. Member
2. Mr. Shaleen Kabra, IAS, Principal Secretary to the Government, Industries and Commerce Department. Member

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3. Mr. Rohit Kansal, IAS, Principal Secretary Member
to the Government, Planning, Development
and Monitoring Department.
4. Mr. Hilal Ahmad Parray, IAS, Commissioner/ Member
Secretary to the Government, General
Administration Department.

The Committee shall hear grievances on service related matters of Government employees and take appropriate action in each case.

The Committee shall address grievances of Government employees, as per schedule drawn by itself and shall meet individual petitioner(s) atleast once a week to address their issues.

The Committee shall be served by the Planning, Development and Monitoring Department (Public Grievances Cell).

By order of the Government of Jammu and Kashmir.

(Sd.) HILAL AHMAD, IAS,

Commissioner/Secretary to the Government.

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GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIATô GENERAL ADMINISTRATION
DEPARTMENT.

Subject :ô Simultaneous action of prosecution and initiation of
departmental proceedings-guidance thereof.

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Notification No. 49-GAD of 2018

Dated 12-12-2018.

The issue regarding conduct of Departmental Enquiry in general cases and in particular where prosecution stands sanctioned has been reviewed by the General Administration Department. It has been observed that there is lack of clarity regarding initiation of departmental proceedings in cases where criminal proceedings have either been sanctioned or the proceedings in the criminal case has been proceedings

No. 40] The J&K Govt. Gazette, 3rd January, 2019/13th Pausa, 1940. 727
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have either been sanctioned or the proceedings in the criminal case has been stayed by a Higher Fourm, with tendency being to await conclusion of the criminal proceedings. However, this may be correct appreciation of the rules governing departmental proceedings.

2. The matter has been commented upon by the Apex Court in plethora of judicial pronouncements and the Honøble Apex Court has held that there is no legal bar in simultaneous conduct of departmental proceedings along with the criminal proceedings.

3. The Honøble Supreme Court in the case titled ôState of Rajasthan Vs. Sh. B. K. Meena and Othersö has held as under :ô

ô.....the approach and the objective in the criminal proceedings and the disciplinary proceedings is altogether distinct and different. In the disciplinary proceedings, the question is whether the respondent is guilty of such conduct as would merit his removal from service or a lesser punishment, as the case may be, whereas in the criminal proceedings the question is whether offences registered against him under the Prevention of Corruption Act (and the Indian Penal Code, if any) are established and, if established and, if establishment, what sentence should be imposed upon him. The standard of proof, the mode of enquiry and the rules governing the enquiry and trial in both the case are entirely distinct and different. Staying of disciplinary proceedings pending criminal proceedings, to repeat, should not be matter of course but a considered decision. Even if stayed at one stage, the decision may require reconsideration with the criminal case gets unduly delayed.....ö

The Honøble Supreme Court in the case titled ðState Bank of India and Others Vs. Neelam Nagø held as under :ô

ô.....suffice it to say that while there is no legal bar to the holding of the disciplinary proceedings and the criminal trail simultaneously, stay of the disciplinary proceedings may be an advisable course in cases where the criminal charge against the employee is grave and continuance of the disciplinary proceedings is likely to prejudice their defence before the Criminal Court. Gravity of the charge is, however, not by itself enough to determine the question unless the charge involves complicated question of law and fact. The Court examining the question must

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also keep in mind that criminal trails get prolonged indefinitely especially where the number of accused arraigned for trail is large as is the case at hand and so are the number of witnesses cited by the prosecution. The Court, therefore, has to draw a balance between the need for a fair trail to the accused on the one hand and the competing demand for an expeditious conclusion of the ongoing disciplinary proceedings on the other. An early conclusion of the disciplinary proceedings has itself been seen by this Court to be in the interest of the employees. (emphasis supplied).....ö

4. Thus, it is a settled legal position that the criminal proceedings and department proceedings can be held simultaneously except in cases where the Honöble Court has specifically restrained the Government from undertaking departmental proceedings.

5. In view of the above, it is impressed upon all departments to initiate departmental proceedings in all such criminal cases where the criminal proceedings have been initiated and the alleged criminal act amounts to act(s) of misconduct and as such attracts the provisions of Jammu and Kashmir Civil Services (Classification, Control and Appeal) Rules, 1956.

The departments should accordingly, take recourse and strictly adhere to aforesaid Rules of 1956 wherever Departmental Enquiry in such case(s) has to be initiated.

By order of the Government of Jammu and Kashmir.

(Sd.) HILAL AHMAD, IAS,

Commissioner/Secretary to the Government.

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GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIATô REVENUE DEPARTMENT.

Notification No. 317-Rev(LAJ) of 2018

Dated 17-07-2018.

Whereas, the land specifications whereof are given below is required for public purpose viz. for construction of Police Post, Jamslan

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 20 Kanals situated in Village Jamslan, Tehsil Mahore, District Reasi, particulars whereof are given above is required for public purpose viz. for construction of Police Post, Jamslan (Shajroo) in Village Jamslan, Tehsil Mahore, District Reasi by Police Department. Further, the Collector, Land Acquisition (Mahore), Reasi is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

(Sd.) SHAHID ANAYATULLAH, IAS,

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Notification No. 312-Rev(LAJ) of 2018

Whereas, the land specifications whereof are given below is required for public purpose viz. for 132 Transmission Line Tower No. T 38, T 40 which are re-aligned due to construction of NH Four Lane alongside the Udhampur Chenani Section in Village Sewna, Tehsil Chenani, District Udhampur ;

Specifications of land

District	Tehsil	Village	Tower No.	Kh. Nos.	Area
1	2	3	4	5	6
Udhampur	Chenani	Sewna	T 38	3 min	K. M. 01601
			T 38	7 min	00607

[illegible]

1 2 3 4 5 6

T 39 14 min 01608

T 40 168 min 01608

T 41 172 min 01608

T 42 181/1 min 01608

T 43 181/2 min 01608

T 44 186/1 min 01608

T 45 192/1 min 01616

T 46 201 min 01616

T 47 201 min 01ó16

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Total 15604

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Whereas, on the basis of an indent placed by Project Director, National Highway, PIU, Jammu vide No. PD/JMU/F&A/2016-17/12018/U-R/1842 dated 26-07-2016, a notification under section 4(1) was issued by Collector, Land Acquisition (ADC), Udhampur vide No. LA/ADC/646-55 dated 07-09-2017 for land measuring 15 Kanals 04 Marlas situated in Village Sewna, Tehsil Chenani, District Udhampur ;

Whereas, the Collector, Land Acquisition (ADC), Udhampur vide No. LA/ADC/46-47 dated 11-05-2018 has reported that the notification issued under section 4(1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons in the prescribed time period as required under sections 5 & 5-A of the Land Acquisition Act ;

[illegible]

Whereas, the report furnished by Collector, Land Acquisition (ADC), Udhampur vide number referred to above duly endorsed by Deputy Commissioner, Udhampur vide No. DCU/SQ/459-60 dated 11-05-2018 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for 132 Transmission Line Tower No. T 38, T 40 which are re-aligned due to construction of NH Four Lane alongside the Udampur Chenani Section in Village Sewna, Tehsil Chenani, District Udampur.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 15 Kanals 04 Marlas situated in Village Sewna, Tehsil Chenani, District Udhampur, particulars whereof are given above is required for 132 Transmission Line Tower No. T 38, T 40 which are re-aligned due to construction of NH Four Lane alongside the Udhampur. Chenani Section in Village Sewna, Tehsil Chenani, District Udhampur. Further, the Collector, Land Acquisition (SDM), Chenani is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYATULLAH, IAS,

Commissioner/Secretary to Government,
Revenue Department.

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No. 40] The J&K Govt. Gazette, 3rd January, 2019/13th Pausa, 1940. 733
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GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIATô REVENUE DEPARTMENT.

Notification No. 313-Rev(LAJ) of 2018

Dated 17-07-2018.

Whereas, the land specifications whereof are given below is required for public purpose viz. for extension of STC, BSF for providing of basic amenities and training infrastructure in Village Roun, Tehsil and District Udhampur by BSF ;

Specifications of land

District	Tehsil	Village	Kh. Nos.	Area
				K. M.
Udhampur	Udhampur	Roun	562 min	07ô09
			562 min	00ô10
				ôôôôôô
			Total	07ô19
				ôôôôôô

Whereas, on the basis of an indent placed by Inspector General, Headquarters STC BSF, Jammu vide No. 20001/169/LA/BOP/2016/819-22 dated 17-09-2016, a notification under section 4(1) was issued by Collector, Land Acquisition (Special Collector, Defence), Udhampur vide No. CLAD/Udh/938-46 dated 26-04-2017 for land measuring 07 Kanals and 19 Marlas situated in Village Roun, Tehsil and District Udhampur ;

Whereas, the Collector, Land Acquisition (Special Collector, Defence), Udhampur vide No. CLAD/Udh/965-66 dated 17-05-2018 has reported that the notification issued under section 4(1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons in the prescribed time period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (Special Collector, Defence), Udhampur vide number referred to above duly endorsed by Deputy Commissioner, Udhampur vide No. DCU/SQ/552-54 dated 19-05-2018 has been examined and it has been found

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that the land owners did not file any objection to the proposed
acquisition ;

Whereas, the Government is satisfied that the land particulars
whereof are given above is required for public purpose viz. for extension
of STC, BSF for providing of basic amenities and training infrastructure
in Village Roun, Tehsil and District Udhampur by BSF.

Now, therefore, in pursuance of section 6 of the J&K State Land
Acquisition Act, Samvat 1990, it is declared that land measuring
07 Kanals and 19 Marlas situated in Village Roun, Tehsil and District
Udhampur, particulars whereof are given above is required for public
purpose viz. for extension of STC, BSF for providing of basic amenities
and training infrastructure in Village Roun, Tehsil and District Udhampur,
by BSF. Further, the Collector, Land Acquisition (Special Collector,
Defence), Udhampur is directed under section 7 of the said Act to
take order for acquisition of the said land after giving prescribed notice
to the interested person(s) as required under the Land Acquisition Act/
Rules.

However, the Collector concerned shall be personally responsible
for identification and proper verification of all types of land involved
in the case and apportionment of compensation amongst all the interested
persons/rightful claimants in accordance with the relevant laws/rules in
force, while making the award.

(Sd.) SHAHID ANAYATULLAH, IAS,

Commissioner/Secretary to Government,
Revenue Department.

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GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIATô REVENUE DEPARTMENT.

Notification No. 330-Rev(LAJ) of 2018

Dated 18-07-2018.

Whereas, the land specifications whereof are given in
Annexure ôAô to this notification is required for public purpose
viz. for construction of Road from Kholiyan Tallal to Samoodh
(Phsae-VII) in Village Dhar Jankhar, Tehsil Basohli, District Kathua
under PMGSY ;

Whereas, on the basis of an indent placed by Executive Engineer,
PMGSY Division, Kathua, a notification under section 4(1) was issued

No. 40] The J&K Govt. Gazette, 3rd January, 2019/13th Pausa, 1940. 735
 by Collector, Land Acquisition (ADC), Kathua vide No. ADC/BSL/2017-18/19-26 dated 04-10-2017 for land measuring 27 Kanals and 18 Marlas, situated in Village Dhar Jankhar, Tehsil Basohli, District Kathua ;

Whereas, the Collector, Land Acquisition (ADC), Basohli vide No. ADC/BSL/2017-18/51 dated 26-12-2017 has reported that the notification issued under section 4(1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons in the prescribed time period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (ADC), Basohli vide number referred to above duly endorsed by Deputy Commissioner, Kathua vide No. DCK/LA/2017-18/2091-93 dated 14-02-2018, Divisional Commissioner, Jammu vide No. 502/3129/Acq/PMGSY/Dhar Jankhar/Kathua/18/71-73 dated 06-04-2018 and by Financial Commissioner, Revenue vide No. FC-LS/LA-4634/2018 dated 20-04-2018 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given in Annexure A to this notification is required for public purpose viz. for construction of Road from Kholiyan Tallal to Samoodh (Phase-VII) in Village Dhar Jankhar, Tehsil Basohli, District Kathua under PMGSY.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 27 Kanals and 18 Marlas situated in Village Dhar Jankhar, Tehsil Basohli, District Kathua, particulars whereof are given in Annexure A to this notification is required for public purposes viz. for construction of Road from Kholiyan Tallal to Samoodh (Phase-VII) in Village Dhar Jankhar, Tehsil Basohli, District Kathua under PMGSY. Further, the Collector, Land Acquisition (ADC), Basohli is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved

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(Sd.) SHAHID ANAYATULLAH, IAS,

Commissioner/Secretary to Government,
Revenue Department.

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Annexure “A”

Particulars of land

District	Tehsil	Village	Kh. Nos.	Area
				K. M.
Kathua	Basohli	Dhar Jankhar	917 min	04619
			919 min	04607
			920 min	06604
			928 min	04609
			1684/929 min	01600
			930 min	06603
			1690/932 min	00616
				666666
			Total	27618
				666666

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GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT& REVENUE DEPARTMENT.

Notification No. 331-Rev(LAJ) of 2018

Dated 18-07-2018.

Whereas, the land specifications whereof are given in Annexure
to this notification is required for public purpose viz. for construction

No. 40] The J&K Govt. Gazette, 3rd January, 2019/13th Pausa, 1940. 737
of Atholi Gossi Link Road at Villages Atholi and Liddar, Tehsil Padder,
District Kishtwar ;

Whereas, on the basis of an indent placed by Executive Engineer, PWD (R&B) Division, Kishtwar, a notification under section 4(1) was issued by Collector, Land Acquisition (ADC), Kishtwar vide No. ADCK/LA/2017/468-74 dated 05-09-2017 for land measuring 20 Kanals and 13 Marlas situated in Village Atholi and Liddar, Tehsil Padder, District Kishtwar ;

Whereas, the Collector, Land Acquisition, Kishtwar vide No. ADCK/LA/2018/18 dated 12-04-2018 has reported that the notification issued under section 4(1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons within the prescribed period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (ADC), Kishtwar vide number referred to above duly endorsed by District Collector (DC), Kishtwar vide No. DCK/LA/2018/63-69 dated 17-04-2018 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. construction of Atholi Gossi Link Road in Villages Atholi and Liddar, Tehsil Padder, District Kishtwar.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 20 Kanals and 13 Marlas situated in Villages Atholi and Liddar, Tehsil Padder, District Kishtwar, particulars whereof in Annexure is required for public purposes viz. for construction of Atholi Gossi Link Road in Villages Atholi and Liddar, Tehsil Padder, District Kishtwar. Further, the Collector, Land Acquisition (ACR), Kishtwar is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

Further, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is also ordered that on expiry of fifteen days from the publication of the notification under sections 9 (2) of the said Act, the Collector will take possession of the aforementioned land situated

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However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award.

(Sd.) SHAHID ANAYATULLAH, IAS,

Commissioner/Secretary to Government,
Revenue Department.

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Annexure "A"

Particulars of land

District	Tehsil	Village	Khasra Nos.	Area	No. of Str-uct-ure	No. of Fr-uit be-aring Trees	No. of N. Fr-uit be-aring Trees
1	2	3	4	5	6	7	8
				K. M.			
Kishtwar	Atholi	Atholi	1547	min	00608	Nil	Nil
	Padder		1548	min	00608	Nil	Nil
			1552	min	00612	Nil	Nil
			1553	min	01609	Nil	Nil
			1554	min	00609	Nil	Nil
			1694	min	01609	Nil	Nil
			1695	min	00608	Nil	05

[illegible]

1	2	3	4	5	6	7	8
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1895	min	01607	Nil	Nil	Nil
1852	min	00608	01	02	Nil
1853	min	00609	Nil	04	Nil
1855	min	00604	Nil	Nil	Nil
1893/1	min	01601	Nil	Nil	Nil
1707	min	00602	Nil	Nil	Nil
1738	min	00612	Nil	Nil	Nil
1739	min	00604	Nil	Nil	Nil
1744	min	00614	Nil	Nil	Nil
1753	min	00602	Nil	Nil	Nil
1754	min	00602	Nil	Nil	Nil
1755	min	00612	Nil	Nil	Nil
1755	min	00606	Nil	Nil	Nil
1756	min	00612	Nil	Nil	Nil
1757	min	01600	Nil	Nil	10
1759	min	01600	Nil	08	06
43/1760	min	00612	Nil	Nil	06
24/1821	min	00605	Nil	Nil	Nil
24/1821	min	00602	Nil	Nil	Nil
25/1821	min	00602	Nil	Nil	Nil
25/1821	min	00602	Nil	Nil	Nil
1830	min	00613	Nil	Nil	Nil
1831	min	00604	Nil	04	Nil

[illegible]

1835	min	00604	Nil	Nil	Nil
1834	min	00603	Nil	Nil	Nil
1834	min	00604	Nil	Nil	Nil
1850	min	00612	Nil	Nil	Nil
1856	min	00606	Nil	Nil	Nil
2040/1696	min	00614	Nil	Nil	20
4043/1743	min	00608	Nil	Nil	Nil
1854	min	00607	Nil	Nil	Nil
1894	min	01603	Nil	05	Nil
1543	min	00614	Nil	Nil	Nil

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT& REVENUE DEPARTMENT.

Dated 18-07-2018.

Whereas, on the basis of an indent placed by Executive Engineer, PMGSY Division, Udhampur-I vide No. PMGSY/Div/Udh-I/184-89 dated 03-05-2016, a notification under section 4(1) was issued by Collector, Land Acquisition (ACR), Udhampur vide No. ACRU/SQ/6480-88 dated 09-02-2018 for land measuring 09 Kanals 08 Marlas situated in Village Lussal, Tehsil and District Udhampur ;

Annexure “A”

Particulars of land

District	Tehsil	Village	Kh. Nos.	Area	Kind of soil
1	2	3	4	5	6
K. M. S.					
Udhampur	Udhampur	Lussal	02 min	00610603	Hail
			03 min	01617608	Hail
			04 min	00601606	Hail
			11 min	00603603	Pail Asmani
			12 min	00607602	B. Q.
			15 min	00605602	Hail
			16 min	00615608	Pail Asmani
			26 min	01600606	G. M.
			27 min	00604607	Hail
			28 min	00601606	Hail
			31 min	00615604	Hail
			147 min	00612606	W. Changi
			149 min	00601603	G. M.
			150 min	00609600	B. Q.
			152 min	00600607	W. Mandi
			156 min	00603606	W. Mandi

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156 min 00601602 W. Mandi

157 min 00614603 W. Mandi

158 min 00602608 B. Q.

159 min 00ó18ó00 B. Q.

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Total 09608600

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Subject :ô Allocation of Departments amongst the Law Officers in the Kashmir Wing of the Hon'ble High Court.

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Government Order No. 5531-LD (A) of 2018

Dated 08-10-2018.

In partial modification of Government Order No. 3986-LD(A) of 2018 dated 18-07-2018, the following re-distribution of litigation work amongst the Law Officers in the Kashmir Wing of the Hon'ble High Court, in addition to their own assignments, is ordered, as shown against each :

S. No.	Name of the Law Officer and Designation	Department allotted
1	2	3

S/Shri

1. Bashir Ahmad Dar, Senior Additional Advocate General
 - i. Agriculture Production Department.
 - ii. Horticulture Department

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|---|---|
| 2. Nissar Hussain Shah,
Additional Advocate General | Rural Development
Department |
| 3. Mushtaq Ahmad Chasoo,
Additional Advocate General | Tourism Department |
| 4. Asif Maqbool, Government
Advocate | Higher Education
Department |
| 5. M. Uthman Gani,
Government Advocate | Relief and Rehabilitation
Department |

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,
Secretary to Government.



PART II—A

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In compliance to the Government Order No. 1723-GAD of 2018 dated 08-12-2018, I hereby assume the charge of Principal Secretary to the Government, Housing and Urban Development Department to look after the work of Smart Cities and proposed new Jammu/Srinagar Metropolitan Regional Development Authorities, today on 16-12-2018 FN.

Principal Secretary.

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In pursuance Govt. Order No. 356-FST of 2018 dated 26-10-2018 and issued under endorsement No. FST/Ser/90/2018 dated 26-10-2018, we the undersigned do hereby have handed over and taken over the charge of Divisional Forest Officer, Rajouri today on 29-10-2018.

CAMPA A/c No. CD 16377/SG (Gujjar Mandi Branch)	099101 to 099184 used 099185 to 099200 unused
Eco Tourism Society (DKG) A/c No. 0259040500016507	100601 to 100603 used 100604 to 100700 unused

Relieved Officer.

Relieving Officer.



THE
JAMMU & KASHMIR GOVERNMENT GAZETTE

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Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—B

Notifications, Notices and Orders by the Heads of Departments.

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GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ASSISTANT COMMISSIONER, REVENUE),
REASI.

Notification

Subject :ôôNotification under section 4 (1) of the Land Acquisition Act,
1990 BK for land measuring 11 Marlas 6 Sirsai in Village Reasi,
Tehsil Reasi for erection of Towers of 132 KV D/C Transimission
line for Konkan Railways.

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In exercise of powers vested in me under section (1) of section (4)
of the Land Acquisition Act, 1990 BK, I, Harbans Lal, KAS, Collector,
Land Acquisition (Assistant Commissioner, Revenue), Reasi, do hereby
notify the land, particulars of which are given below, which is likely to be
needed for the public purpose i.e. erection of 132 KV Transmission line
Towers in Village Reasi, Tehsil Reasi.

Objections, if any, to the acquisition of the said land shall be received by the undersigned either individually/personally or through authorized agent within 15 days from the date of issuance of this notification in my office at Deputy Commissioner Office Complex, Reasi.

Particulars of land

District	Tehsil	Village	Tower Location No.	Kh. Nos.	Area
ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô
1	2	3	4	5	6
ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô	ô ô ô ô ô
Reasi	Reasi	Reasi	22	601	K. M. S. 00-11-6
				Total	ôôôôôôôôôô 00-11-6 ôôôôôôôôôô

Note :ô The land under acquisition has been measured in local kanals.

(Sd.) HARBANS LAL, KAS,

Collector, Land Acquisition,
Assistant Commissioner (Rev.),
Reasi.

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GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ASSISTANT COMMISSIONER, REVENUE),
REASI.

Notification

Subject :ôôNotification under section 4 (1) of Land Acquisition Act, 1990
BK for acquisition of private land measuring 143 Kanals 09
Marlas for construction of PMGSY road from ôBhabbar to
Mansooö at Village Kundra, Tehsil and District Reasi under
PMGSY, Phase-VI.

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In exercise of the powers vested in me under sub-section (1) of
section (4) of the Land Acquisition Act, 1990 BK, I, Harbans Lal, KAS,

1					2					3					4					5				
ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô	ô
																				K.	M.			
																				127 min	03-06			
																				292 min	00-01			
																				393 min	03-10			
																				332 min	01-03			
																				285 min	00-10			
																				284 min	02-16			
																				274 min	01-05			
																				273 min	00-10			
																				272 min	00-05			
																				270 min	00-17			
																				269 min	00-16			
																				334 min	00-06			
																				335 min	03-05			
																				339 min	00-05			
																				340 min	01-18			
																				286/96 min	01-03			
																				286/96 min	02-02			

Collector, Land Acquisition,
Assistant Commissioner (Rev.),
Reasi.

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OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ASSISTANT COMMISSIONER, REVENUE),
KISHTWAR.

Corrigendum

In reference to this office Notification under section 4 (1) issued vide No. ACR/LA/2017/K/305-11 dated 04-08-2017 of Land Acquisition case namely Construction of Link road from Machipal to Chamoti, Village Chamoti, Tehsil Drabshalla, District Kishtwar.

Please read area of Khasra No. 328/53 min mentioned at S. No. 20 as 01 Kanal 08 Marlas instead of 01 Kanal 18 Marlas and Khasra No. 52 at Sr. No. 44 as 04 Kanals 08 Marlas instead of 09 Kanals 08 Marlas. Hence the total area, read as 136 Kanal 02 Marlas instead of 141 Kanals 12 Marlas.

This has been worked out after re-verification of Area and Khasra No 9s. from the field book.

(Sd.) INDERJEET PARIHAR, KAS,

Collector, Land Acquisition,
Assistant Commissioner (Rev.),
Kishtwar.

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OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ASSISTANT COMMISSIONER, REVENUE),
KISHTWAR.

Corrigendum/Addendum

Please read in the column of Village from Sr. No. 4 to Sr. No. 34 as Village Bhandera instead of Village Nag Bhatna, in the notification issued vide this office No. ACR/LA/2018/2468-73 dated 16-08-2018, with regard to construction of Link Road from Kandni to Ohli. Besides, Village Bhandera be deemed added in line 5 of the said notification.

(Sd.)

Collector, Land Acquisition,
Assistant Commissioner (Revenue),
Kishtwar.

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OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ASSISTANT COMMISSIONER, REVENUE),
KISHTWAR.

Notification

In exercise of the powers conferred upon me under sub-section (1) of the section 4 of the J&K State Land Acquisition Act, I, Inderjeet Parihar (KAS), Assistant Commissioner, Revenue, Kishtwar do hereby notify the land, the particulars of which are given below and is likely to be needed for public purpose i.e. construction of Link road from Tkn to Mori, Village Tipri, Tehsil Bunjwah, District Kishtwar.

The interested persons, if any, with respect to the acquisition of land may file objections in my office within 15 days from the date of issuance of this notification. In pursuance of your objections, if any, you will be heard on :

Particulars of land

District	Tehsil	Village	Khasra Nos.	Area	No. of Fruit bearing Trees	No. of Non-Fruit bearing Trees	No. of Structures
1	2	3	4	5	6	7	8
Kishtwar	Bunjwah	Tipri	2	02-00	10	00	01
			1	01-17	06	00	00
			101 min	02-13	02	00	00
			102 min	00-16	00	00	00
			585/103	10-11	00	00	00
			3	01-12	11	00	00
			4	03-14	11	00	00

Collector, Land Acquisition
Assistant Commissioner (Rev.),
Kishtwar.

Jammu, dated 20th September, 2018.

Consequent upon the increase in the rates of PDS SKO by the Oil Marketing Companies, and in supersession of all previous notifications issued on the subject by this Directorate and in exercise of the powers vested in me under clause 2 (B) of Kerosene (Fixation of Ceiling Price), Order 1970, I, Nisar Ahmad Wani, Director, Food Civil Supplies and Consumer Affairs Kashmir, hereby, revise and refix the sale rate of PDS SKO at Rs. 30.14 per litre applicable within the Municipal Limits of Srinagar District for the month of September, 2018. The rate so arrived has been determined in the manner as indicated in the table below :

S. No.	Particulars	Rate per KI (Form XV)
1	2	3
1.	Delivered rate of oil company/KL	Rs. 25906.00

1	2	3
2.	Revised wholesale commission	Rs. 1008.83
3.	Local Transportation with increase of 0.07 per litre	Rs. 230.00
4.	GST on freight and commission at 5%	Rs. 61.94
5.	Total wholesale rate per KL	Rs. 27206.77
6.	Wholesale rate per Litre	Rs. 27.21
7.	Product loss of retailer ect. @ 213/- per KL i.e. 0.21/- per Litre	Rs. 00.21
8.	Retailers margin at 10% per Litre	Rs. 02.72
9.	Retail rate per litre	Rs. 30.14

All the SKO dealers shall accordingly, sell the SKO on the aforementioned fixed rate only and shall also display the rate so fixed at conspicuous places at their respective depots. In case of any default by any dealer, action as warranted under section 3/7 of the Essential Commodities Act, 1955 shall be invoked against the erring dealer.

(Sd.) NISAR AHMAD WANI, KAS,

Food, Civil Supplies and Consumer Affairs,
Kashmir.

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Notice

I, Anil Sharma S/o Krishan Pal Sharma R/o Gurha Pattan, Jammu have applied for correction of my DOB, which has been wrongly written as 25-10-1983 instead of correct DOB 03-07-1980 in my Pan Card bearing No. CATPS9401E. Now, I am applying for correction of the same. Objection, if any, may be conveyed to concerned authority within seven days from date of publication of this notice.

Anil Sharma,
S/o Krishan Pal Sharma
R/o Gurha Pattan, Jammu.



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

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Vol. 131] Jammu, Thu., the 3rd Jan., 2019/13th Pausa, 1940. [No. 40

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Separate paging is given to this part in order that it may be filed as a
separate compilation.

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ADVERTISEMENTS—C

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POLICE HEADQUARTERS, J&K, SRINAGAR
(Provision Section).

NIT No. 66 of 2018

Dated 19-12-2018.

For and on behalf of the Governor of Jammu and Kashmir, e-Tenders in two cover system (Technical and Financial Bid) are hereby invited from original manufacturers/authorized dealers (having specific authorization from their original manufacturer/s to quote against this tender as per format provided in Appendix-I) for supply of Tentage as detailed in Annexure A to this NIT (as indicated in the detailed SBD and BoQs). The download of

No. 40] The J&K Govt. Gazette, 3rd Jan, 2019/13th Pausa, 1940. 167
POLICE HEADQUARTERS, J&K, JAMMU
(Provision Section).

Subject : Extension note e-Tender No. 42 of 2018 dated 19-09-2018 floated
for Selection of Service Provider for provision of lease line
connectivity for CCTNS project etc.

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The critical dates of above-mentioned e-Tender are extended as
under :

- (i) Last date for receiving of online technical bids=27-12-2018
up to 1800 hours.
- (ii) Date for online opening of technical bids=29-12-2018 at 1100
hours.

However other contents of the tender shall remain unchanged.

(Sd.) MUBASSIR LATIFI, JKPS,

AIG (Provision/Transport)
For Director General of Police,
J&K, Jammu.

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POLICE HEADQUARTERS, JAMMU AND KASHMIR
(Provision Section).

NIT No. 67 of 2018

Dated 22-12-2018.

For and on behalf of the Governor of Jammu and Kashmir, e-Tenders
are hereby invited from original manufacturers or their authorized
dealers having proper authorization of the manufacturer to quote against
the tender for the supply of Anti Riot Gas Mask, as indicated in the detailed
SBD & BoQ. The download of NIT shall start on 22-12-2018 at 1100
hours. Tenders shall be submitted online on J&K State e-Procurement Portal
www.jktenders.gov.in before 06-01-2019 up to 1800 hours.

The tenders (technical bids only) will be opened online on 08-01-2019
at 1100 hours at Police Headquarters, J&K, Gandhi Nagar, Jammu. Pre-bid

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Meeting will be held at PHQ, J&K, Gandhi Nagar, Jammu on 29-12-2018 at
1500 hours. In case of unforeseen circumstances, the date of opening will
be next working day or else as notified separately. Detailed tender
documents with terms and conditions are available on J&K State
e-Procurement Portal www.jktenders.gov.in.

(Sd.) MUBASSIR LATIFI, JKPS,
AIG (Provision and Transport)
For Director General of Police,
J&K, Jammu.

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POLICE HEADQUARTERS, J&K, JAMMU
(Provision Section).
Amendment Notice

Consequent upon recommendations of the Pre-bid Clarification
Committee, following amendment are made in e-Tender Notice No. 52 of
2018 dated 24-10-2018 floated for Supply, Installation and Commissioning
of Video Conferencing Systems :ô

S. No.	Query	Clarification
1	2	3
1.	Audio standards and protocols : G. 711, G. 722, G. 722.1, G. 728, G. 729 or equivalent standard	Any equivalent or compatible standard acceptable
2.	2XHDX microphone arrays supported	Clause Omitted to facilitate wider participation of OEMs/bidders
3.	H221, H224, H281, H323, H225, H245, H241, H331, H239, H231, H243, H260, Bonding Mode 1	Clause dropped as the require- ment of VC system is for IP based only

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| 4. LPR Technology | Equivalent or better technology supported by different OEMs |
| 5. H320, ISDN Quad, PRI, BRI | Not required as the system is IP based only |
| 6. Serial RS 449, V. 35, RS 530 with RS 366 dialling | Clause Omitted to facilitate wider participation of OEMs/bidders. Any equivalent, compatible or supporting feature acceptable |
| 7. Audio SPID detection and line number configuration | Clause Omitted to facilitate wider participation of OEMs/bidders. Any equivalent, compatible or supporting feature acceptable |
| 8. Microsoft office communication server, ICE support, LYNC IP, IBMIP etc. | Clause removed |
| 9. AES FIPS, H233/H234 | Clause removed. Not required as the system is IP based only |
| 10. S-Video | Dropped |
| 11. 10/100 Auto NIC (RJ45) | 10/100/1000 MBPS support |
| 12. Environment specifications | Any specification to be able to operate the system in J&K (which includes low temperature places of Leh/Kargil) weather and environmental conditions |
| 13. Multipoint feature | Multipoint feature should be available and embedded in |

[illegible]

14. Removal of clause
 "The OEM must have R&D
 centre in India for last
 10 years which could be
 verified by the department"

15. Inclusion of clause
 öBidder should furnish the
 details of similar projects
 executed within last 3 years
 (Only bidder not OEM)ö

16. Inclusion of clause
 16.1 Bidder should have
 presence and have
 registered office in J&K
 State since last 5 years

17. Inclusion of clause
 5.1.1.1 Bidder should have supplied
 and furnish details of similar
 equipment supplied in at least
 two reputed Government
 institutions in J&K State

Not agreed

1. Last date for receiving of bids=27-12-2018 up to 1800 hours.

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Other contents of the tender shall remain unchanged.

AIG (Provision/Transport)
For Director General of Police,
J&K, Jammu.

Dated 19-12-2018.

S. No.	Particulars	Advertisement Cost	Earnest Money	Cost of Tender Document
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1.	Rate contract for supply of sports equipments to be installed in the Multipurpose Indoor Halls of J&K State under PMDP as specified in Annexure-öAö of the Tender Document	Rs. 25.00 lacs	Rs. 0.50 lacs	Rs. 2,500/-
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Date of publishing of tender 20-12-2018 from 2.00 P. M.

Period of downloading of documents	20-12-2018 from 2.00 P. M. to 31-12-2018 up to 2.00 P. M.
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Bid submission start date 20-12-2018 from 4.00 P. M.

Bid submission end date 31-12-2018 up to 4.00 P. M.
(online documents)

Date and time of opening of Bids (online)	01-01-2019 at 2.00 P. M. or subsequent date in the Office of Secretary, J&K State Sports Council, Sports House, M. A. Stadium, Jammu.
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The tender documents along with other Terms and Conditions of the NIT and relevant documents can be downloaded from the State website <http://jktenders.gov.in>. The tender shall be uploaded in electronic format on the State website <http://jktenders.gov.in>. The bidders shall have to upload scanned copies of all necessary documents like CDR/PAN/GST Number/Demand Draft/(Tender fee)/registration certificate duly renewed and hard copies thereof physically to tender receiving authority on due date up to 4.00 P. M. The cost of tender documents shall be in the form of Bank Draft drawn in favour of Chief Accounts Officer, J&K State Sports Council payable at Srinagar/Jammu and Earnest Money shall be pledged to Secretary, J&K State Sports Council. The cost of tender documents is non-refundable whileas the Earnest Money is refundable.

(Sd.)

Secretary,
J&K State Sports Council,
Jammu.

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JAMMU AND KASHMIR STATE SPORTS COUNCIL, JAMMU

GIST of e-NIT No. 06 of 2018

Dated 24-12-2018

For and on behalf of the J&K State Sports Council, e-Tender are invited from the reputed manufacturers or their authorized distributors/dealers or registered suppliers for supply of Gymnastic Floor Arena and Taekwondo equipments as specified in Annexure-A under special funds of District Development Commissioner, Jammu.

S. No.	Particulars	Advertisement Cost	Earnest Money	Cost of Tender Document
1.	Supply of Gymnastic Floor Arena and Taekwondo equipments as specified in Annexure 'A' of the tender document	Rs. 10.00 lacs	Rs. 0.20 lacs	Rs. 2,000/-
	Date of publishing of tender		26-12-2018 from 2.00 P. M.	
	Period of downloading of documents		26-12-2018 from 2.00 P. M. to 08-01-2019 up to 2.00 P. M.	
	Bid submission start date		26-12-2018 from 4.00 P. M.	
	Bid submission end date (online documents)		08-01-2019 up to 4.00 P. M.	
	Date and time of opening of Bids (online)		09-01-2019 at 2.00 P. M. or subsequent date in the Office of Secretary, J&K State Sports Council, Sports House, M. A. Stadium, Jammu.	

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The tender documents along with other Terms and Conditions of the NIT and relevant documents can be downloaded from the State website <http://jktenders.gov.in>. The tender shall be uploaded in electronic format on the state website <http://jktenders.gov.in>. The bidders shall have to upload scanned copies of all necessary documents like CDR/PAN/GST Number/Demand Draft/(Tender fee)/registration certificate duly renewed. The cost of tender documents shall be in the form of Bank Draft drawn in favour of Chief Accounts Officer, J&K State Sports Council payable at Srinagar/Jammu and Earnest Money shall be pledged to Secretary, J&K State Sports Council. The cost of tender documents is non-refundable whileas the Earnest Money is refundable.

(Sd.)

Secretary,
J&K State Sports Council,
Jammu.

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GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE GENERAL MANAGER,
RANBIR GOVERNMENT PRESS,
JAMMU (TAWI) 180005.

Extension of Short Term Tender Notice

Due to poor response, the date of receipt of the tenders invited vide this office Short Term Tender Notice No. RGPI/PC/6078-82 dated 15.12.2018, for the rate contract for supply/installation of **“Internet Set-UP”** in Press Factory is hereby extended up to 01-01-2019 till 12.00 Noon. The other terms and conditions shall remain unchanged.

(Sd.) F. H. QADRI,
General Manager.



رجسٹرڈ نمبر جے کے۔ 33

جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 131۔ جموں۔ مورخہ 3 جنوری 2019ء بمطابق 13 پوسا 1940 ویروار نمبر 40

اِستِہارات

از عدالت منصف جوڈیشل مجسٹریٹ درجہ اول سانبہ

سرکار بنام نذیر حسین

مثل نمبر 159/CJMS، تاریخ دائرہ 31-08-2013، تاریخ فیصلہ رواں
باعنوان مقدمہ سرکار بنام

علت نمبر 53 سال 2013ء، تھانہ پولیس گھگوال

بجرائم زیر دفعات : 188/RPC

2/3 PCA Act .

وارنٹ گشتی عام زیر دفعہ 512 ضابطہ فوجداری

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان الصد ر میں ملزم نذیر حسین ولد ابراہم ساکنہ ٹانڈ اسپوال تحصیل و ضلع سانبہ قوم گجر بعد کرنے ارتکاب جرم روپوش ہو چکا ہے جس کی دستیابی سر دست کی کوئی بھی علاقہ ہذا میں اُمید نہ ہے۔

لہذا آپ کو بذریعہ وارنٹ گشتی عام زیر دفعہ 512 ض ف حکم و اختیار دیا جاتا ہے کہ ملزم مذکور جب کہیں بھی، جہاں بھی دستیاب ہو، تو گرفتار کر کے روبرو عدالت ہذا میں پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہیگا۔

تحریر 22-09-2017

دستخط: چیف جوڈیشل مجسٹریٹ سانبہ۔

از عدالت ایڈیشنل سپیشل موبائل مجسٹریٹ تھنہ منڈی

سرکار بنام محمد فاروق وغیرہ

بجرائم زیر دفعات RPC 302, 307, 452, 336, 147, 148, 323, 109

وارنٹ گشتی عام زیر دفعہ 512 ضابطہ فوجداری

بخلاف ملزم: 1۔ محمد یوسف ولد غلام عباس ساکن اوجھان مرگاں تحصیل درہال

2۔ محمد شکیل 3۔ اختر حسین پسیران غلام نبی ساکنان لسیراں

تحویل درہال۔

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان الصدر میں ملزم بعد کرنے ارتکاب جرائم مقدمہ ہذا سے پس و پیش ہو چکے ہیں جس کی عدم حاضری میں پی۔ او نے چلان عدالت ہذا میں پیش کیا، پی۔ او نے استدعا کی کہ ملزم اندر حدود ریاست جموں و کشمیر دستیاب نہ ہوا ہے۔ اس نسبت بیان ایس۔ ایچ۔ او و تعمیل کنندہ قلمبند کئے گئے۔ جس میں انہوں نے بیان دیا کہ ملزم مذکور کی تلاش ملحقہ علاقہ جات و گرد و نواح میں کی گئی لیکن ملزم مذکور کہیں بھی دستیاب نہ ہوا۔ استدعا ہے کہ ملزم مذکور کے خلاف کارروائی زیر دفعہ 512 ض ف عمل میں لائی جائے۔ راقم نے بیان SHO و تعمیل کنندہ کا بغور ملاحظہ کیا جس سے عیاں ہوا کہ ملزم مذکور کی گرفتاری بطریق معمولی عمل میں نہ لائی جاسکتی ہے۔ ملزم مذکور کے خلاف کارروائی زیر دفعہ 512 ض ف عمل میں لائی جاتی ہے۔

لہذا اہلکاران پولیس ریاست جموں و کشمیر کو بذریعہ وارنٹ گشتی زیر دفعہ 512 ض ف حکم و اختیار دیا جاتا ہے کہ وہ ملزم مذکور کو اندر حدود ریاست جموں و کشمیر جہاں کہیں بھی دستیاب ہو، گرفتار کر کے عدالت ہذا میں پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔ تحریر الصدر

دستخط : منصف ایڈیشنل سپیشل موبائل مجسٹریٹ تھنہ منڈی۔

از عدالت تھرڈ ایڈیشنل سیشن جج جموں

سرکار بنام دل محمد وغیرہ

مثل نمبر 124/چالان، تاریخ دائرہ 14-09-92، تاریخ فیصلہ 28-02-2001

علت نمبر 2 سال 1992ء، تھانہ پولیس Jic جموں

بجرائم زیر دفعات TADA 3/4/6

2/3 E&IMCO 3/25 A. Act

وارنٹ گشتی گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری

بخلاف ملزمان: (1) غلام نبی عرف نیا عرف نبی بخش ولد اللہ دین
قوم گوجر ساکنہ پڑاں تحصیل ضلع راجوری (2) قادر
عرف مدثر ولد غلام نبی قوم گوجر ساکنہ پڑاں تحصیل و
ضلع راجوری (3) جمیل ولد اکبر قوم گوجر ساکنہ پڑاں
تحصیل و ضلع راجوری (4) شبیر ولد نذیر قوم گوجر
ساکنہ پڑاں تحصیل ضلع راجوری (5) محمد رزاق ولد راج محمد
قوم بکروال ساکنہ سڑھوتی مہنڈر تحصیل مہنڈر ضلع پونچھ۔

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان الصدر میں ملزمان متذکرہ صدر کے خلاف بروئے حکم
امروزہ کارروائی زیر دفعہ 512 عمل میں لائی جا چکی ہے اور ملزمان کے خلاف
وارنٹ جاری کرنے کا حکم ہوا ہے جو کہ جاری کیا جاتا ہے۔

لہذا آپ کو اصل وارنٹ گشتی گرفتاری عام زیر دفعہ 512 ضابطہ فوجداری
کی رو سے حکم اختیار دیا جاتا ہے کہ اگر ملزمان مذکور یاں متذکرہ صدر اندر حدود
ریاست جموں و کشمیر جب کبھی اور جہاں کہیں بھی دستیاب ہو، اس کو تحت ضابطہ

ضمیمہ ج - جموں و کشمیر گورنمنٹ گزٹ نمبر 40 مورخہ 3 جنوری 2019ء بمطابق 13 پوسا 1940-207
گرفتار کر کے عدالت ہذا میں پیش کیا جائے۔ وارنٹ ہذا تا دستیابی ملزمان زیر کار
رہے گا۔

دستخط: تھرڈ ایڈیشنل سیشن جج جموں -

از عدالت ایڈیشنل سیشن جج راجوری

سرکار بنام شرافت علی وغیرہ

مثل نمبر 62/ASJR، دائرہ 24-12-2012 فیصلہ رواں
22-2-2013

علت نمبر 477 سال 2012ء، تھانہ پولیس راجوری

بجرائم زیر دفعات 307/364/323/34 RPC

وارنٹ گشتی عام زیر دفعہ 512 ضابطہ فوجداری

بخلاف ملزم: شرافت علی ولد طفیل حسین ساکنہ فتح پور چتیا تحصیل و
ضلع راجوری۔

حکم بنام: اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان الصد ر میں آپ کو تحریر کیا جاتا ہے کہ ملزم کو عرصہ سے
طلب کیا جا رہا ہے، الا ملزم حاضر عدالت نہ آ رہا ہے۔ اس نسبت تعمیل کنندہ کا بیان بھی
قلمبند کیا گیا، تعمیل کنندہ کا بیان یہ ہے کہ ملزم کو علاقہ ہذا میں کافی تلاش کیا گیا، الا وہ
دستیاب نہ ہوا، ملاحظہ مثل و بیان تعمیل کنندہ سے پایا گیا ہے کہ ملزم کی تعمیل بطریق

معمولی جلدی ہونی مشکل ہے۔

لہذا ملزم کے خلاف وارنٹ گشتی عام جاری کیا جاتا ہے اور اہلکاران پولیس ریاست جموں و کشمیر کو حکم دیا جاتا ہے کہ وہ ملزم کو اندر حدود ریاست جموں و کشمیر جہاں کہیں بھی دستیاب ہو، گرفتار کرنے و روبرو عدالت ہذا پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گی۔

آج مورخہ 27-02-2018 کو دستخط و مہر عدالت ہذا سے جاری ہوا۔

دستخط: ایڈیشنل سیشن جج راجوری۔

از عدالت جوڈیشل مجسٹریٹ درجہ اول اکھراں

سرکار بنام فاروق احمد وغیرہ
علت نمبر 66 سال 2014ء، تھانہ پولیس رامسو
بجرائم زیر دفعات 506/504/323 /341 RPC

وارنٹ گشتی عام زیر دفعہ 512 ضابطہ فوجداری

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان الصّدر عدالت ہذا میں پیش ہو کر رواں ہے۔ مقدمہ ہذا میں ملزمہ سکیئہ بانو دختر عبدالرحمن ساکنہ پوگل تحصیل بانیہال (پوگل پرستان) ضلع رام بن مقدمہ عنوان الصّدر میں حاضر نہ آتی ہے اور فرار ہے اور اس کی گرفتاری کا سر دست کوئی امکان نہ ہے۔

ضمیمہ ج - جموں و کشمیر گورنمنٹ گزٹ نمبر 40 مورخہ 3 جنوری 2019ء بمطابق 13 پوسا 1940-209

لہذا بذریعہ وارنٹ ہذا زیر دفعہ 512 ض ف، اہلکاران پولیس جموں و کشمیر کو حکم دیا جاتا ہے کہ ملزمہ سیکنہ بانو دختر عبدالرحمن ساکنہ پوگل تحصیل بانہال (پوگل پرستان) ضلع رام بن اندرون ریاست جموں و کشمیر جہاں کہیں بھی پائی جائے تو اسے گرفتار کر کے عدالت ہذا میں پیش کرے۔

آج مورخہ 13 ستمبر 2018ء کو میری مہر و دستخط سے جاری ہوا۔

دستخط: جوڈیشل مجسٹریٹ درجہ اول اکھرا ل۔

از عدالت فسط ایڈیشنل ڈسٹرکٹ اینڈ سیشن جج جموں

Joga Ram & ors. سرکار بنام Union of India
Through Intelligence
office Directorate of
Revenue Intelligence
Jammu.

مشل نمبر 106/سپیشل چالان، دائرہ 16-04-2018

تاریخ کارروائی 512 ض ف/16-04-2018، آئندہ تاریخ پیشی 02-05-2018

بجرائم زیر دفعات 8/21/25/27 A/28/29 NDPS Act.

وارنٹ گشتی عام زیر دفعہ 512 ضابطہ فوجداری

بمخلاف ملزم: Mushtaq Ahmed Bhat S/o Mohd Shaban Bhat

R/o Village Puji Teng Bijbehara,

District Anantnag, kashmir.

210۔ جموں و کشمیر گورنمنٹ گزٹ نمبر 40 مورخہ 3 جنوری 2019ء بمطابق 13 پوسا 1940۔ ضمیمہ ج

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر

مقدمہ مندرجہ عنوان الصّدر میں ملزم مذکورہ عرصہ دراز سے دستیاب نہ ہو رہا ہے۔ لہذا آپ کو بذریعہ وارنٹ گشتی ہذا حکم و اختیار دیا جاتا ہے کہ آپ ملزم مذکورہ جہاں کہیں بھی اندر حدود ریاست جموں و کشمیر دستیاب ہو کو گرفتار کر کے روبرو عدالت پیش کریں، وارنٹ ہذا دستاویزی ملزم مذکورہ زیر کار رہے گا۔

آج تاریخ 16 ماہ 04 سال 2018ء ہمارے دستخط و مہر عدالت سے

جاری ہوا۔

دستخط : فسٹ ایڈیشنل ڈسٹرکٹ اینڈ سیشن جج جموں۔

EXTRAORDINARY

REGD. NO. JKô 33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Jammu, Wed., the 19th Sept., 2018/28th Bhad., 1940. [No. 24-r

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT HOME DEPARTMENT

Notification

Srinagar, the 19th September, 2018.

SRO-416. Whereas, on 20-03-2015 Police Station, Bandipora
received information through reliable source that one separatist leader namely
Ameer Hamza Shah S/o Gh. Mohi-ud-Din Shah R/o Quilmuqam appeared

2 The J&K Govt. Gazette, 19th Sept., 1940/28th Bhad., 1940. [No. 24-r
ooo
in Jamia Masjid Jadeed, Bandipora and delivered anti-national speech
among the general public with intention to instigate the general public for
struggle against the country in order to separate Jammu and Kashmir from
the rest of India etc. ; and

2. Whereas, in this connection case FIR No. 41/2017 under section 13 of the Unlawful Activities (Prevention) Act, 1967 came to be registered in Police Station, Bandipora ; and

3. Whereas, during the course of investigation, site plan was prepared, statements of witnesses were recorded under relevant sections of law and placed on record ; and

4. Whereas, investigation conducted, revealed that two persons namely 1. Ameer Hamza Shah S/o Gh. Mohi-ud-Din Shah R/o Quilmuqam, Bandipora and 2. Rayees Ahmad Mir S/o Mohammad Maqbool Mir R/o Kehnusa, Bandipora appeared in Jamia Masjid Jadeed, Bandipora during Friday prayers on 20-03-2015 and delivered anti-national speech provoking thereby people against the integrity and sovereignty of State. Resultantly, panic and chaos spread among the general masses ; and

5. Whereas, based on the facts and circumstances of the case, prima facie, a case under section 13 ULA (P) Act, was established against above mentioned 02 accused persons and investigation was closed as challan ; and

6. Whereas, the Authority appointed by the State Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967 has independently scrutinized the Case Diary file and all the other relevant documents relating to the case and has come to a definite conclusion that this is a fit case for accord of sanction for launching prosecution against the accused persons for the commission of offence punishable under section 13 of UAPA Act, 1967 ; and

7. Whereas, after perusing the Case Diary, the relevant documents and also taking into consideration the observations/views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities

No. 24-r] The J&K Govt. Gazette, 19th Sept., 2018/28th Bhad., 1940. 3
(Prevention) Act, 1967, the State Government is of the view that there is
sufficient material and evidence available against the accused persons for
their prosecution under the aforesaid provision of law.

8. Now, therefore, in exercise of powers conferred by sub-section (2)
of section 45 of the Unlawful Activities (Prevention) Act, 1967, the
State Government hereby accord sanction for launching prosecution
against the below mentioned accused persons for the commission of
offence punishable under section 13 of UAPA Act, 1967 arising out of
FIR No. 41/2015 Police Station, Bandipora :ó

1. Ameer Hamza Shah S/o Gh. Mohi-ud-Din Shah R/o Quilmuqam,
Bandipora ;
2. Rayees Ahmad Mir S/o Mohammad Maqbool Mir R/o Kehnusa,
Bandipora.

By order of the Government of Jammu and Kashmir

(Sd.)

Principal Secretary to the Government,
Home Department.

No. 26-g] The J&K Govt. Gazette, 1st Oct., 2018/9th Asv., 1940. Mon.
EXTRAORDINARY REGD. NO. JK 33

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR

CIVIL SECRETARIAT DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Power Section)

Notification

Srinagar, the 1st October, 2018.

SRO-442. In exercise of powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint Shri Pawan Kumar Parihar (KAS), Additional Deputy Commissioner, Kishtwar to be the Executive Magistrate of the First Class who shall exercise all the powers of an Executive Magistrate of the First Class within the territorial jurisdiction of District Kishtwar.

The Government further in exercise of the powers conferred by sub-section (2) of section 10 of the said Code appoint the aforesaid Executive Magistrate as Additional District Magistrate, within the territorial jurisdiction of District Kishtwar and shall have all the powers of District Magistrate under the said Code.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

No. 26-h] The J&K Govt. Gazette, 1st Oct., 2018/9th Asv., 1940. Mon.
EXTRAORDINARY REGD. NO. JK 33

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR

CIVIL SECRETARIAT DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Power Section)

Notification

Srinagar, the 1st October, 2018.

SRO-443. In exercise of powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint Sh. Dharendra Sharma (KAS), Assistant Commissioner (Revenue), Doda to be the Executive Magistrate of the First Class who shall exercise all the powers of an Executive Magistrate of the First Class within the territorial jurisdiction of District Doda.

The Government further in exercise of the powers conferred by sub-section (2) of section 10 of the said Code appoint the aforesaid Executive Magistrate as Additional District Magistrate, within the territorial jurisdiction of District Doda and shall have all the powers of District Magistrate under the said Code.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Jammu, Mon., the 1st Oct., 2018/9th Asv., 1940. [No. 26-i

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I-B

Jammu and Kashmir Government—Notifications.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT66HOME DEPARTMENT

Notification

Srinagar, the 1st October, 2018.

SRO-444.66In exercise of the powers conferred by clause (o) of
sub-section (1) of section 4 of the Code of Criminal Procedure,
Samvat 1989, the Governor hereby directs and declares with effect from
the date of publication of this notification in the official Gazette, the place
specified in column (1) of the schedule hereunder as ôPolice Stationö for
the area specified in the corresponding entry in column (2) thereof, in respect

2 The J&K Govt. Gazette, 1st Oct., 2018/9th Asv., 1940. [No. 26-i
of the investigation of scheduled offences under the National Investigation
Agency Act, 2008 (34 of 2008) for exercising the powers under the provisions
of the Code of Criminal Procedure, Svt. 1989.

Name of the Police Station	Areas falling within the Jurisdiction of the Police Station
National Investigation Agency, Lane No. 03, Adarsh Enclave, Railway Road, Trikuta Nagar, Jammu (J&K)-180012	Whole of the State of Jammu and Kashmir.

By order of the Governor.

(Sd.) R. K. Goyal, IAS,
Principal Secretary to the Government,
Home Department.



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Jammu, Mon., the 19th Nov., 2018/28th Kart., 1940. [No. 33-4

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PART I-B

Jammu and Kashmir Government—Notifications.

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JAMMU AND KASHMIR LEGISLATIVE COUNCIL
SECRETARIAT, JAMMU.

BULLETIN PART-(II)

(General Information relating to Parliamentary and others Matters)

The term of the following Honøble Members is expiring
on 06-12-2018 :óó

S. No.	Honøble Member	Elected/Nominated
1	2	3
1.	Shri Ali Mohammad Dar	Elected Kashmir (Panchayat)

[illegible]

2.	Shri Ghulam Nabi Monga	Elected Kashmir (Panchayat)
3.	Shri Sham Lal Bhagat	Elected Jammu (Panchayat)
4.	Dr. Shenaz Ganai	Elected Jammu (Panchayat)

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(Sd.) ABDUL MAJID,
Secretary.

REGD. NO. JKô 33



Vol. 131] Jammu, Wed., the 19th Dec., 1818/28th Agra., 1940. [No. 37-17

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Jammu and Kashmir Government—Notifications.

GOVERNOR'S SECRETARIAT
JAMMU AND KASHMIR
RAJ BHAVAN, SRINAGAR.

ORDER

In exercise of the powers conferred by Section 43 and sub-section (2) of Section 45 of the Constitution of Jammu and Kashmir read with Order No. GSR 1224 (E) dated 19th December, 2018 made by the President of India in pursuance of sub-clause (i) of clause (C) of the Proclamation dated 19th December, 2018 issued under Article 356 of the Constitution of India, I, Governor of Jammu and Kashmir hereby direct

that the provisions of the Jammu and Kashmir Government Business Rules shall apply for the more convenient transaction of Government Business and allocation thereof among the Advisors subject to the modification that any reference to the Cabinet, the Chief Minister and the Minister shall be construed as reference to the State Administrative Council, the Governor and the Advisor respectively.

This Order shall be deemed to have come into force with effect from 19th December, 2018.

SATYA PAL MALIK,
Governor.

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GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Legislation Section)

Jammu, the 19th December, 2018.

Published for general information.

(Sd.) ACHAL SETHI,
Secretary to Government,
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK633



**THE
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

.....
Vol. 131] Jammu, Mon., the 3rd Dec., 2018/12th Agra., 1940. [No. 35-2

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separate compilation.

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PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT DEPARTMENT OF LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS
(Legislation Section)

Jammu, the 3rd December, 2018.

The following Act has been assented to by the Governor on
3rd December, 2018 and is hereby published for general information :óó

**THE JAMMU AND KASHMIR RIGHT TO INFORMATION
(AMENDMENT) ACT, 2018**

(Governor Act No. XXVII of 2018)

[3rd December, 2018.]

Enacted by the Governor in the Sixty-ninth Year of the Republic of
India.

2 The J&K Govt. Gazette, 3rd Dec., 2018/12th Agra., 1940. [No. 35-2
An Act to amend the Jammu and Kashmir Right to Information
Act, 2009.

In exercise of the powers vested under Proclamation No. P-1/18
of 2018 dated 20th June, 2018, the Governor is pleased to enact as
follows :

1. *Short title and commencement.* (1) This Act may be called the
Jammu and Kashmir Right to Information (Amendment) Act, 2018.

(2) It shall come into force from the date of its publication in the
Government Gazette.

2. Amendment of section 12, Act No. VIII of 2009. In section 12 of
the Jammu and Kashmir Right to Information Act, 2009, in sub-section (3), in
Explanation thereto, the full stop (.) at the end, shall be substituted by the
colon (:) and thereafter the following proviso shall be added, namely :

Provided that during the continuation of Proclamation issued under
section 92 of the Constitution of Jammu and Kashmir or Article 356
of the Constitution of India, as applicable to the State, the State Chief
Information Commissioner and the State Information Commissioners
shall be appointed by the Governor on the recommendation of the
Committee consisting of :

- (a) Advisors to the Governor (one of whom to be nominated by
the Governor shall be Chairperson of the Committee) ;
- (b) Chief Secretary (Member-Secretary).

SATYA PAL MALIK,
Governor.

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(Sd.) ASHISH GUPTA,  
Deputy Legal Remembrancer,  
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK633



**THE  
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

.....  
Vol. 131] Jammu, Fri., the 7th Dec., 2018/16th Agra., 1940. [No. 36-2

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separate compilation.

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**PART II—C**

**Notifications, Notices and Orders by the Election Commission.**

—————  
OFFICE OF THE ELECTION AUTHORITY  
UNDER J&K PANCHAYATI RAJ ACT, 1989  
(CHIEF ELECTORAL OFFICER, J&K)

***“Greater Participation for a Stronger Democracy”***

Notification

Jammu, Dated the 07th December, 2018.

In view of a pending enquiry and decision thereof regarding acceptance of nomination papers of Sh. Arjun Singh S/o Late Atma Singh for Sarpanch seat of Panchayat Halqa, Latori Dhanori, Block Katra, the

2 The J&K Govt. Gazette, 7th Dec., 2018/16th Agra., 1940. [No. 36-2  
oooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooooo  
date of poll appointed vide notification dated 12-11-2018 for conduct  
of elections to elect Sarpanches and Panches for **Panchayat Halqa,  
Latori Dhanori, Block Katra of District Reasi** is hereby postponed  
to 11-12-2018.

(Sd.) SHALEEN KABRA, IAS,

Election Authority  
Under J&K Panchayati Raj Act, 1989  
(Chief Electoral Officer, J&K).

REGD. NO. JKô 33



Vol. 131] Jammu, Thu., the 11th Oct., 1918/19th Asv., 1940. [No. 28-d

[illegible]

### **Jammu and Kashmir Government—Notifications.**

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT LABOUR AND EMPLOYMENT  
DEPARTMENT

Srinagar, the 11th October, 2018.

SRO-463.66In exercise of the powers conferred by section 14 of the Unorganised Workers Social Security Act, 2008, the Government of Jammu and Kashmir hereby direct that **“Form-I”** of the Jammu and



2 The J&K Govt. Gazette, 11th Oct., 2018/19th Asv., 1940. [No. 28-d  
Kashmir Unorganized Workersø Social Security Rules, 2010, shall be  
substituted by the “**Form-I**” appended to this notification.

By order of the Government of Jammu and Kashmir.

(Sd.) SAURABH BHAGAT, IAS,  
Commissioner/Secretary to the Government,  
Labour and Employment Department.

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**FORM-I**

*(See Rule 12)*

Name of the Unorganized worker\_\_\_\_\_

Father's/husband's name\_\_\_\_\_

Date of Birth\_\_\_\_\_

Occupation\_\_\_\_\_

Address\_\_\_\_\_

Present\_\_\_\_\_

Permanent\_\_\_\_\_

Aadhaar Number\_\_\_\_\_

**Bank Account Details :**

(i) Name of the Bank and Branch\_\_\_\_\_

(ii) 16 digit Account Number \_\_\_\_\_

Dependents\_\_\_\_\_

(a) Father\_\_\_\_\_

(b) Mother\_\_\_\_\_

(c) Dependent Children\_\_\_\_\_

(d) Others \_\_\_\_\_

REGD. NO. JKô 33



Vol. 131] Jammu, Fri., the 19th Oct., 1818/27th Asv., 1940. [No. 29-g

[illegible]

**Laws, Regulations and Rules passed thereunder.**

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT66 FINANCE DEPARTMENT

Srinagar, the 19th of October, 2018.

SRO-478.óóIn exercise of the powers conferred by section 164 of the Jammu and Kashmir Goods and Services Tax Act, 2017 (**Act No. V of 2017**), the State Government on the recommendations of the Council

hereby makes the following amendment in the Jammu and Kashmir Goods and Services Tax Rules, 2017, namely :66

δ(4B) Where the person claiming refund of unutilised input tax credit on account of zero rated supplies without payment of tax hasóó

- (a) received supplies on which the supplier has availed the benefit of notification SRO No. 443 Dated 23--10-2017 or Notification No. 41/2017-Integrated Tax (Rate), dated the 23rd October, 2017, published in the Gazette of India, Extraordinary, vide number G. S. R. 1321 (E), dated the 23rd October, 2017 ; or
- (b) availed the benefit of notification No. 78/2017-Customs, dated the 13th October, 2017, published in the Gazette of India, Extraordinary, Part II, vide number G.S.R. 1299(E), dated the 13th October, 2017, section 3, sub-section (i), vide number G. S. R. 1272 (E), dated the 13th October, 2017 or Notification No. 79/2017-Customs, dated the 13th October, 2017, published in the Gazette of India, Extraordinary, Part II, vide number G. S. R. 1299(E), dated the 13th October, 2017, the refund of input tax credit, availed in respect of inputs received under the said notifications for export of goods and the input tax credit availed in respect of other inputs or input services to the extent used in making such export of goods, shall be granted.ö

ð(10) The persons claiming refund of integrated tax paid on exports of goods or services should not have

- (a) received supplies on which the benefit of notification SRO No. 445 dated 23-10-2017 except

- This notification shall come into force with effect from the date of publication of corresponding notification under Central Goods and Services Tax Rules, 2017 in the Central Gazette.

Principal Secretary to Government,  
Finance Department.



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Jammu, Wed., the 24th Oct., 2018/2nd Kart., 1940. [No. 29-I

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separate compilation.

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**PART I—B**

**Jammu and Kashmir Government—Notifications.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT&HOME DEPARTMENT

Notification

Srinagar, the 24th of October, 2018.

SRO-483.ô Whereas, the Government in exercise of powers conferred under sub-rule (2-A) of rule 9 of the Jammu and Kashmir Requisitioning and Acquisition of Immovable Property Rules, 1969 in terms of SRO-104 dated 11-04-2008 notified the rates of rent with effect from 16-02-2008 for different categories of land for determining the compensation of agricultural and other lands ;

2. And whereas, amongst other categories of lands mentioned in the aforesaid notification, the rates of rent for the following categories of lands were indicated as under : ô

| S. No. | Categories of land                                                                                                                                  | Rates of rent per<br>Kanal per Annum |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| 1.     | Lands falling under Jammu Municipal Corporation/Srinagar Municipal Corporation/<br>Poonch Municipal Council and Srinagar/<br>Jammu Cantonment areas | Rs. 33,750.00                        |
| 2.     | Lands falling under Municipal Councils                                                                                                              | Rs. 16,875.00                        |

3. And whereas, in terms of communication No. 35/4/HRG/REVISION/DE/NC/27 dated 25-10-2010, the office of Principal Director, Defence Estates, *inter alia*, sought clarification in respect of rentals of lands pertaining to Poonch Municipality ;

4. And whereas, separately, the land holders and residents of Border Area of Poonch District filed a Writ Petition in the Honøble High Court at Jammu, OWP No. 1204/2015 titled Nazir Hussain and Other Vs. Union of India and Others, praying, *inter alia*, for the following relief :ô

ô.... directing the respondents to make the payment of rental compensation in accordance with SRO-104 dated 11-04-2008 issued by the Home Department, J&K....ö

5. And whereas, the Honøble High Court in terms of order dated 22-04-2016 was pleased to dispose of the aforesaid petition with the following directions :ô

ô(I) Commissioner/Secretary to Govt. of Jammu and Kashmir, Home Department will accord consideration to the request of respondents No. 1 to 3 as

has been made for issuance of clarification vis-a-vis rate of rent which, according to the Rules as notified vide SRO-104, has been fixed @ Rs. 37750/- per kanal for land falling under Poonch Municipal Council. Though Municipal Council, Poonch in terms of Government Order dated 16-01-2009 has been bracketed with other Municipal Councils for which rate is fixed as Rs. 16,875/- per kanal but the same is contrary to rules.

- (II) Commissioner/Secretary to Govt. of J&K, Home Department will clearly address the above issue and thereafter send the clarificatory report to the respondents No. 1 to 3 within a period of eight weeks from the date copy of the order is served upon respondent No. 4, which shall not be extendable.
- (III) On receipt of clarificatory report, respondent No. 1 to 3 will finally settle the claim of the petitioners within a period of two weeks.
- (IV) The respondents No. 1 to 3 shall pay rent to the petitioners for the time being @ Rs. 16,875/- per kanal per annum. In case finally the amount of rent is fixed @ Rs. 16,875/- then in that eventuality respondents No. 1 to 3 will proceed to recover the excess amount of rent paid to the petitioner or in alternative stop payment of rent till the excess outstanding amount against the petitioners is satisfied. In case, rent @ Rs. 33750/- is found payable, then the arrears shall be paid to the petitioners.
- (V) Right is reserved to both the parties to re-agitate subject to survival of cause...ö

6. And whereas, in light of the communication dated 25-10-2010 of Principal Director, Defence Estates and the order dated 22-04-2016 passed by the Honøble High Court, the matter was examined in light of the relevant rules and the subsequent notifications issued on the subject. It was observed that due to some clerical/typographical error, the words “**Poonch Municipal Council**” had got reflected in SRO-104 dated 11-04-2008 in column 2, S. No. 5 instead of column 2, S. No. 6 ;



7. And whereas, U. O. dated 22-02-2018, the matter was further examined in consultation with the Department of Law, Justice and Parliamentary Affairs, *inter alia*, on the issue of Errata to SRO-104 dated 11-04-2008. The said Department vide U. O. dated 19-03-2018 advised as under :ô

õ Returned. Department is within its powers to issue Errata to the Notification SRO-104 dated 11-04-2008, but any such modification/amendment shall not be in consistent with the judgment dated 22-04-2016 passed by the Honøble J&K High Court, Jammu in case titled Nazir Hussain and Others Vs. Union of India and Others and in any other case.ö

8. And whereas, the matter was further examined and it was observed that SRO-104 dated 11-04-2008 require modification/amendment and simultaneously, the order dated 22-04-2016 passed by the Honøble High Court at Jammu in OWP No. 1204/2015 titled Nazir Hussain and Others Vs. Union of India and Others, is also required to be complied with.

9. Now, therefore, in exercise of the powers conferred by section 22 of the Jammu and Kashmir Requisitioning and Acquisition of Immovable Property Act, 1968 and keeping in view the above details the Government hereby directs as under :ô

- (i) The Notification SRO -104 dated 11-04-2008 is modified/ amended to the extent that the words **“Poonch Municipal Council”** reflected in column 2, S. No. 5 of the said notification shall and shall always be deemed to have been deleted.
- (ii) The Poonch Municipal Council, in so far as, it pertains to payment of rent in respect of requisitioned/hired lands, shall be treated at par, with other Municipal Councils of the State.

By order of the Governor.

(Sd.) R. K. GOYAL, I AS,

Principal Secretary to Government,  
Home Department.

EXTRAORDINARY

REGD. NO. JK6633



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 130] Jammu, Fri., the 9th Nov., 2018/18th Kart., 1940. [No. 32-d  
Separate paging is given to this part in order that it may be filed  
as a separate compilation.

**PART I—B**

**Jammu and Kashmir Government—Notifications.**

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT& DEPARTMENT OF LAW, JUSTICE AND  
PARLIAMENTARY AFFAIRS  
(Power Section)

Notification

Jammu the 9th November, 2018.

SRO-492.& In exercise of the powers conferred by sub-section (1) of section 12 of the Code of Criminal Procedure, Samvat 1989, the Government hereby appoint the officers mentioned in the

2 The J&K Govt. Gazette, 9th Nov., 2018/18th Kart., 1940. [No. 32-d  
Annexure to this notification to be the Executive Magistrates of the 1st  
Class, who shall exercise all the powers of an Executive Magistrate of  
1st Class within the territorial jurisdiction of District Doda till Panchayat  
elections.

By order of the Government of Jammu and Kashmir.

(Sd.) ABDUL MAJID BHAT,

Secretary to Government,  
Department of Law, Justice and Parliamentary Affairs.

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*Annexure*

1. Sh. Irshad Ahmed Sheikh, KAS, Tehsildar Kastigarh, District Doda.
2. Sh. Gias-ul-Haq, Tehsildar, Bhaderwah, District Doda.
3. Sh. Lekh Raj, KAS, Tehsildar Gandoh, District Doda.
4. Sh. Suman Ji Sharma, Tehsildar Thathri, District Doda.
5. Dr. Khurshid Ahmed Mir, Chief Animal Husbandry Officer, Doda.
6. Sh. Mahesh Kumar Thakur, DFO, Social Forestry, Doda.
7. Sh. Khalid Amin Mehta, DFO, Bhaderwah.
8. Sh. Mohd Ayaz Iqbal Mughal, District Education Planning Officer, Doda.
9. Sh. Mohinder Singh, Dy. Director Forest Protection Force, Doda.
10. Sh. Susheel Rattan Sharma, SDAO Pranoo, Tehsil Doda.
11. Dr. Arun Kumar Assistant Professor, GDC, Thathri, District Doda.
12. Sh. Anoop Kumar (KAS Jr.), awaiting orders of posting, Distt. HQ, Doda.
13. Dr. Javed Iqbal Rathir, STO Doda, District Doda.

No. 32-d] The J&K Govt. Gazette, 9th Nov., 2018/18th Kart., 1940. 3

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14. Sh. Tariq Parvez Qazi, CDPO, Doda.
15. Shri Sunil Kumar Koul, Chief Agriculture Officer, Doda, District Doda.
16. Sh. Sajid Mustufa, District Horticulture Officer, Doda, District Doda.
17. Sh. Satya Kumar Katoach, Principal, Hr. Sec. School, Malothi, Tehsil Bhalla, District Doda.
18. Sh. Subash Chander Hatishi, Assistant Engineer, Spl. Sub. Divn., Gandoh.
19. Sh. Zia-Ur-Rashid, Horticulture Development Officer, Marmat, Tehsil Marmat, District Doda.
20. Sh. Nazir Ahmed, Lecturer, Hr. Sec. School (Boys), Bhaderwah.
21. Sh.Sajad Akhtar, Naib Tehsildar, Election, District Election Office, Doda.
22. Sh.Mohd Haroon Khan, Range Officer, Kuntwara, District Doda.
23. Sh.Javed Abdul Dev., Range Officer, Neru, District Doda.
24. Sh.Rahat Bashir, HDO, Assar, District Doda.
25. Sh.Abid Hussain, HDO, Doda, District Doda.
26. Sh.Rakesh Kumar, Assistant Professor, GDC, Doda, District Doda.
27. Sh.Mohinder Singh Rana, SDO, Gandoh (Bhalessa), District Doda.
28. Dr.Tariq Hussain, Vety. Asstt. Surgeon, Phigsoo, District Doda.
29. Sh.Masood Ahmed Rangrez, Tehsildar, Doda, District Doda.
30. Sh.Omi Raj Sombria, Tehsil Bhagwah, District Doda.
31. Sh.Ranjeet Singh, Tehsildar Mohalla, District Doda.
32. Sh.Ajay Kumar Saraf, Tehsildar Bhalla, District Doda.
33. Sh.Bansi Lal, Tehsildar, Khara, District Doda.
34. Sh.Manjeet Singh Katal, Tehsildar Assar, District Doda.
35. Sh.Mohd Younus Zargar, Tehsildar Chiralla, District Doda.
36. Sh.Manjeet Singh, Tehsildar Chilly Pingal, District Doda.
37. Sh.Duni Chand, Tehsildar Bhella, District Doda.
38. Sh.Gurdev Kumar, BDO Gundana, District Doda.
39. Sh.Idress Lone, BDO Ghat, District Doda.
40. Sh.Phulail Singh, BDO Bhagwah, District Doda.
41. Dr.Mohd.Ashraf, BDO Bhaderwah, District Doda.
42. Sh.Daljit Singh, BDO, Assar, District Doda.
43. Sh.Mohd Rafie, BDO, Thathri, District Doda.



EXTRAORDINARY

REGD. NO. JKô 33



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Jammu, Sun., the 16th Dec., 2018/25th Agra., 1940. [No. 37-18

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**PART III**

**Laws, Regulations and Rules passed thereunder.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT DEPARTMENT OF LAW,  
JUSTICE AND PARLIAMENTARY AFFAIRS  
(Legislation Section)

Jammu, the 16th December, 2018.

The following Act has been assented to by the Governor  
on 16th December, 2018 and is hereby published for general  
information :

**THE UNIVERSITY OF LADAKH ACT, 2018**

(Governor Act No. LVI of 2018)

[16th December, 2018.]

Enacted by the Governor in the Sixty-ninth Year of the Republic of  
India.

(e) "Cluster University" means the University of Ladakh, created by pooling the resources of existing Colleges of Ladakh and all references to the term "Cluster University" in this Act wherever occurring, shall mean and construed as "University of Ladakh" ;

- (f) "Constituent College" means the colleges constituting the Cluster University and recognized as such by the Syndicate of the Cluster University in accordance with the provisions of this Act and the Statutes ;
- (g) "Faculties", "Boards of Studies", "Board of Inspection" and "Boards of Research Studies" mean the "Faculties", "Boards of Studies", "Board of Inspection" and "Boards of Research Studies" of the Cluster University ;
- (h) "Government" means the Government of Jammu and Kashmir ;
- (i) "Head of the Department" means the Head of the Cluster University Teaching Department who has the status of a Professor or an Associate Professor in the Cluster University and where any Cluster University has no teaching faculty in a subject the person duly appointed, for the time being, by the university ;
- (j) "Principal" means the Head of a College or a person duly appointed, for the time being ;
- (k) "Regulations" means the Regulations of the Cluster University made under this Act ;
- (l) "Statutes" mean the Statutes of the Cluster University made under this Act ;
- (m) "Syndicate" means the Syndicate of the Cluster University ;
- (n) "Teachers" include, Professors, Associate Professors, Assistant Professors and any other persons imparting instructions in the Cluster University or in any College maintained or admitted to its privileges by the Cluster University ;
- (o) "Teachers of the Cluster University" means persons appointed or recognized by the Cluster University for the purpose of imparting instruction in the Cluster University or in any Constituent College ; and



4 The J&K Govt. Gazette, 16th Dec., 1918/25th Agra., 1940. [No. 37-18  
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(p) "University Council" means the University Council of the Cluster University.

3. *Incorporation.* The University of Ladakh, shall be a body corporate known by the name of the University of Ladakh, having perpetual succession and a common seal with power to acquire and hold property, movable and immovable, to transfer the same, to contract and to do all other things necessary for the purpose of its constitution and may sue or be sued by its corporate name as aforesaid.

4. *Objects of the University.* The objects of the University shall be,

- (a) to become the Cluster of vibrant institutions working to disseminate and advance knowledge by providing instructional and research facilities in such branches of learning as it may deem fit ;
- (b) to act as a change agent by having special focus on the skill development and creation of skilled workforce by undertaking industry oriented teaching, training and research, extension programmes and providing employable skills with a view to contribute to the development of the society ;
- (c) to make special provisions for integrated courses in humanities, social science, science and technology in its education programme ;
- (d) to take appropriate measure for promoting innovations in teaching-learning process and inter disciplinary studies and research ;
- (e) to establish linkages with industry for promotion of science, technology, entrepreneurial skills, innovation, etc. to and adopt innovative methods to achieve the status of a self-reliant institution ; and

No. 37-18] The J&K Govt. Gazette, 16th Dec., 2018/25th Agra., 1940. 5  
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- (f) to pay special attention to the improvement of the social and economic conditions and welfare of people and their intellectual, academic and cultural development.

5. *Powers and Functions of Cluster University.*ô The Cluster University shall have the following powers and functions, namely :ô

- (a) to provide for instruction in such branches of learning as the Cluster University may deem fit and to make provision for research and for the advancement and dissemination of knowledge ;
- (b) to hold examinations, to grant degrees to and to confer other academic distinctions on persons whoô
  - (i) have pursued an approved course of study in a college of the Cluster University or in any educational institution approved for the purpose, or distant learners under conditions laid down in the Statutes and Regulations ;
  - (ii) have carried an independent research under conditions laid down in the Statutes ;
  - (iii) to confer honorary degrees or other distinctions on approved persons in the manner laid down in the Statutes ;
  - (iv) to grant such diplomas to and to provide such lectures and instructions for persons not being on the rolls of the Cluster University as the Cluster University may determine ;
  - (v) to co-operate with other Universities and authorities in such a manner and for such as the Cluster University may determine ;
  - (vi) to institute Professorships, Associate Professorships, Assistant Professorships and any other teaching posts required by the Cluster University ;

- (vii) to establish and maintain colleges, to recognize colleges and other institutions not maintained by the Cluster University and to withdraw such recognition ;
- (viii) to inspect constituent, autonomous and affiliated colleges and other institutions and places approved by the Cluster University for the residence of students ;
- (ix) to demand and receive payments of such fees and other charges as may be authorized by the Statutes and Regulations so as to achieve the status of a completely self sustaining corporate body ;
- (x) to obtain loans in furtherance of the objects of the Cluster University ;
- (xi) to supervise and control the residence and discipline of students of the Cluster University or of colleges and other institutions admitted or affiliated to it and to make arrangements for promoting their health and general welfare ;
- (xii) to institute and award fellowships, exhibitions, prizes and medals in accordance with the Statutes and Regulations ;
- (xiii) to endeavor for creation of resources and put the available resources including human and infrastructural assets to optimal utilization so as to become a self-reliant sustaining organization ; and
- (xiv) to do such other acts and things, whether incidental to the powers aforesaid or not, as may be required in order to further the objects of the Cluster University as a teaching, affiliating or examining body, and to cultivate and promote arts, science and other branches of learning.

6. *Approval of the Government.* Notwithstanding anything contained in the foregoing section, any re-organization or alteration in structure, pattern or medium of education at the Cluster University level shall require the previous approval of the Government.

No. 37-18] The J&K Govt. Gazette, 16th Dec., 2018/25th Agra., 1940. 7  
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7. *Cluster University open to all Classes and Creeds.*-ô The Cluster University shall be open to all persons irrespective of sex, caste, class or creed and it shall not be lawful for the Cluster University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to a certificate, diploma or degree of the Cluster University, or to serve as a teacher or to hold any office in the Cluster University, or to enjoy or exercise any privileges thereof, except where such test is specially prescribed by the Statutes, or, in respect of any particular benefaction accepted by the Cluster University, where such test is made a condition thereof by any testamentary or other instrument creating such benefaction.

8. *Affiliation Restricted to Educational Institutions in the State.*ô Notwithstanding anything contained in any law for the time being in force, no educational institution outside the territory of the State shall be affiliated with, or be admitted to any privileges of the Cluster University under this Act.

9. *Officers of the Cluster University.*ô The following shall be the officers of Cluster University :ô

- (i) the Chancellor ;
- (ii) the Pro-Chancellor ;
- (iii) the Vice-Chancellor ;
- (iv) the Financial Advisor ;
- (v) the Educational Advisor ;
- (vi) the Registrar ;
- (vii) the Controller of Examinations ; and
- (viii) such officers as the Statutes may declare to be the officers of the Cluster University.

10. *The Chancellor.*ô (1) The Governor of the State shall be the Chancellor of the Cluster University. He shall be the Head of Cluster University and shall, when present, preside at the meetings of the Cluster University Council and at the Convocation of Cluster University.

(6) If the Syndicate does not, within a reasonable time, take action to the satisfaction of the Pro-Chancellor, the Pro-Chancellor may, after

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considering any explanation which the Syndicate may furnish, issue such directions in consultation with the Vice-Chancellor as he may think fit.

12. *The Vice-Chancellor.*ô (1) The Vice-Chancellor shall either be a whole-time paid or a part-time honorary officer of the Cluster University as the Chancellor may determine and shall be appointed by the Chancellor in consultation with the Pro-Chancellor from amongst the persons whose names are submitted to him by a Committee constituted in accordance with the provisions of sub-section (2).

(2) The Committee referred to in sub-section (1) shall consist of three persons, namely :ô

- (a) two persons not connected with the Cluster University or any college of the Cluster University to be nominated by the University Council ;
- (b) a third person not connected with the Cluster University or any college of the Cluster University to be nominated by the Chancellor, who shall also be the Chairman of the Committee.

(3) The Committee constituted under sub-section (2) shall submit a panel of three names to the Chancellor for appointment of the Vice-Chancellor.

(4) If the Chancellor does not consider any of the persons on the panel recommended by the Committee suitable for appointment as Vice-Chancellor, he may direct the Committee to prepare a fresh panel of three names for submission to him or may direct to constitute a fresh Committee for this purpose.

(5) The Vice-Chancellor of the Cluster University shall hold office for five years :

Provided that on the expiry of the term of his office, the Vice-Chancellor shall be eligible for re-appointment for such term as the Chancellor may in consultation with the Pro-Chancellor determine :

Provided further that the Vice-Chancellor shall not be removed from his office except by order of the Chancellor passed in consultation with the Pro-Chancellor, on the ground of misbehavior or incapacity or if it appears

(7) Where any temporary vacancy of a Vice-Chancellor occurs by reason of resignation, illness, leave or other cause, the University Council shall report the same to the Chancellor who shall make such arrangement for carrying on the duties of the Vice-Chancellor as he may think fit.

(8) Notwithstanding anything contained in sub-section (5), the Vice-Chancellor shall continue in office beyond the expiry of his term until his successor is appointed and enters upon his office.

13. *Powers and Duties of the Vice-Chancellor.* (1) The Vice-Chancellor shall be the Principal Executive and, academic officer of the Cluster University and shall, in the absence of the Chancellor and the Pro-Chancellor, preside over the meetings of the University Council and at any convocation of the Cluster University. He shall be an ex-officio member and Chairman of the Syndicate/Academic Council and such other authorities and bodies as are provided under the provisions of the Act, and shall be entitled to be present and to speak at any meeting of any authority or body of the Cluster University but shall not be entitled to vote there at unless he is a member of the authority or the body concerned.

(2) It shall be the duty of the Vice-Chancellor to see that the provisions of this Act, the Statutes and the Regulations are faithfully observed and he shall have all powers necessary for the purpose.

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(3) The Vice-Chancellor shall have power to convene meetings of the University Council, the Syndicate, the Academic Council and joint meetings of Faculties and Boards of Studies of the Cluster University.

(4) The Vice-Chancellor may take action as he deems necessary in any emergency which, in his opinion, calls for immediate action. He shall in such a case and as soon as or may be thereafter, report his action to the officer, authority or other body of the Cluster University who or which would ordinarily have dealt with the matter.

(5) Save as otherwise provided in this Act, the Vice-Chancellor of the Cluster University shall have the powers to make appointments of the ministerial, technical and inferior staff.

(6) The Vice-Chancellor shall give effect to the orders of the University Council and the Syndicate of the Cluster University regarding the appointment, dismissal and suspension of persons in the employment of the Cluster University and shall exercise general control over the affairs of the Cluster University. He shall be responsible for the discipline of the Cluster University in accordance with this Act, Statutes and Regulations.

(7) The Vice-Chancellor shall exercise such other powers as may be prescribed by Statutes and Regulations.

(8) The Vice-Chancellor may delegate any of his powers under this Act or the Statutes and Regulations made thereunder to any other officer or body of the Cluster University.

14. *Financial Advisor.*ô (1) The Administrative Secretary to Government, Finance Department, or any other officer nominated by the Government shall be the ex-officio Financial Advisor of the Cluster University.

(2) The Financial Advisor shall exercise general supervision over the funds of each Cluster University and shall advise it as regards its financial policy.

(3) The Financial Advisor shall be an ex-officio member of the University Council and the Syndicate of the Cluster University.



(7) The Registrar shall, in the execution of his duties, be subject to the immediate direction and control of the Vice-Chancellor and shall render

such assistance to the Vice-Chancellor as may be required by him in the performance of his official duties.

(8) The Registrar of the Cluster University shall exercise such other powers and perform such other duties as may be prescribed by the Statutes and the Regulations or as may be assigned to him by any authority of the Cluster University.

(9) The Registrar may, with the previous approval of the Vice-Chancellor, delegate any of his powers prescribed under the provisions of this Act or the Statutes or the Regulations made thereunder to any other officer of the Cluster University.

16. *Controller of Examinations.*ô (1) The Controller of Examinations of the Cluster University shall be a whole-time officer of the Cluster University and shall be appointed by the University Council on the recommendation of the Selection Committee constituted in accordance with the provisions of Section 34 of this Act on such terms and conditions as the University Council may from time to time prescribe.

(2) It shall be the duty of the Controller of Examinations of the Cluster University to make arrangements connected with the setting and printing of question papers for all the examinations held by the Cluster University including their safe custody and all other matters connected therewith.

(3) Subject to directions of the Syndicate, the Controller of Examinations of the Cluster University shall make all arrangements for the conduct of examinations of the Cluster University.

(4) Subject to directions of the Syndicate, the Controller of Examinations of the Cluster University shall arrange all items of the examination work such as dispatch and transit of answer books and question papers, evaluation of answer scripts, tabulation of results, complaints against question papers set for the examinations, use of unfair means, publication and rechecking/re-evaluation of results and other related matters.

(5) The Controller of Examinations of the Cluster University shall exercise such other powers and perform such other duties as may be prescribed under the Statutes and Regulations from time to time.

14 The J&K Govt. Gazette, 16th Dec., 198/25th Agra., 1940. [No. 37-18  
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(6) The Controller of Examinations of the Cluster University shall, in the execution of his duties, be subject to the immediate direction and control of the Vice-Chancellor of the Cluster University and shall render such assistance to the Vice-Chancellor as may be required by him in the performance of his official duties.

17. *Other Officers.* Save as otherwise expressly provided in this Act, the procedure for appointment and the powers of the officers of the Cluster University other than the Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Financial Advisor, the Educational Advisor, the Registrar and the Controller of Examinations shall be prescribed by the Statutes.

18. *Authorities.* The following shall be the authorities of the Cluster University:

- (i) the University Council ;
- (ii) the Syndicate ;
- (iii) the Academic Council ;
- (iv) the Faculties ;
- (v) the Boards of Studies ;
- (vi) the Boards of Research Studies ;
- (vii) the Board of Inspection ; and
- (viii) such other authorities as may be declared by the Statutes to be the authorities of the Cluster University.

19. *University Council.* (1) There shall be a University Council in the Cluster University consisting of the following members, namely :

- (i) the Chancellor ;
- (ii) the Pro-Chancellor ;
- (iii) the Minister, Incharge Higher Education Department ;
- (iv) the Chief Executive Councilor of Ladakh Autonomous Hill Development Council, Leh ;

- (v) the Chief Executive Councilor of Ladakh Autonomous Hill Development Council, Kargil ;
- (vi) the Vice-Chancellor of the Cluster University ;
- (vii) the Vice-Chancellors of the other Cluster Universities established in the State ;
- (viii) the Financial Advisor ;
- (ix) the Educational Advisor ;
- (x) Principals of all the constituent colleges of the Cluster University ;
- (xi) two Deans of the Faculties of the Cluster University to be nominated by the Chancellor by rotation ;
- (xii) two Principals of the autonomous/affiliated colleges to be nominated by the Chancellor in consultation with Pro-Chancellor ; and
- (xiii) two nominees of the Chancellor.

(2) The period for which members nominated under (viii) to (x) of sub-section (1) shall hold office, would be as prescribed in the Statutes in this behalf.

(3) The meetings of the University Council of the Cluster University shall be presided over by the Chancellor, when present. In his absence, the Pro-Chancellor shall preside and in the absence of both the Chancellor and the Pro-Chancellor, the Vice-Chancellor of the Cluster University shall preside.

20. *Powers and Functions of the University Council.*ô (1) The University Council of the Cluster University shall be the supreme authority of the Cluster University and shall have the following powers, namely :ô

- (a) to make Statutes under this Act and to amend and repeal the same in consultation with the Syndicate ;

- (b) to make Regulations in consultation with the Syndicate ;
- (c) to approve the financial estimates framed by the Syndicate of the Cluster University ;
- (d) to approve plans of development and expansion of the Cluster University ;
- (e) to consider and pass resolutions on the annual reports ;
- (f) save as otherwise provided in this Act, to appoint officers of the status of Joint Registrar, Deputy Librarian and above and teachers of the status of Associate Professors and above and to define their duties :

Provided that no officer or teacher shall be appointed by the University Council until provision has been made for his salary in the approved budget of the Cluster University :

Provided further that all appointments (permanent or temporary) to the posts of officers or teachers referred to in this section shall be made by the Cluster University Council on the recommendation of the Selection Committee constituted for the purpose in accordance with the provisions of Section 34 of this Act, and on such terms and conditions as may be prescribed by the Statutes :

Provided also that the Vice-Chancellor may make appointments of teachers referred to in this section as a temporary measure for a period not exceeding six months to carry on the work and if the recommendations of the Selection Committee are not received within a period of six months, the Vice-Chancellor may extend the appointment, if any, made by him, for the duration of the academic session with the approval of the University Council ;

- (g) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the Statutes ;

- (h) to constitute committees for specific purposes and to assign such duties to them as it deems fit ;
- (i) to delegate such of its powers to any officer or authority of the Cluster University as it may deem fit, provided that such delegation is made by a majority of not less than two-thirds of the members of the University Council ; and
- (j) to exercise such other powers of the Cluster University as are not otherwise provided for in this Act and the Statutes and Regulations made thereunder.

21. *Syndicate.*ô (1) The Syndicate shall be the Chief Executive Authority except in respect of the matters falling within the purview of the University Council in accordance with the provisions of this Act and it shall consist of the following members, namely :ô

- (i) the Vice-Chancellor ;
- (ii) the Financial Advisor ;
- (iii) the Educational Advisor ;
- (iv) Principals of all the constituent colleges of the Cluster University ;
- (v) two Deans of the Faculties of the Cluster University by rotation to be nominated by the Vice-Chancellor ;
- (vi) two Deans of Faculties of the other Cluster Universities established in the State by rotation to be nominated by the Chancellor ;
- (vii) one member of the Academic Council of the Cluster University nominated by the Council from amongst its members ;
- (viii) two members of the Syndicate of the other Cluster Universities established in the State to be nominated by that body ; and
- (ix) three nominees of the Chancellor.

- (a) to frame the budget estimates of the Cluster University and to submit these to the University Council at a time to be prescribed by Statutes ;
- (b) to recommend the draft statutes and regulations or amendments or revocation thereof and other proposals for consideration by the University Council;
- (c) to hold control, and administer the funds, property and other assets of the Cluster University :

Provided further that the Syndicate shall have powers of re-appropriation in accordance with the Regulations to be prescribed in this behalf ;

- Provided further that all appointments (permanent or temporary) to the posts of Officers or teachers referred to in this section shall be made by the Syndicate on the recommendations of the

Selection Committee constituted for the purpose in accordance with the provisions of Section 34 of this Act and on such terms and conditions as may be prescribed by the Statutes :

Provided also that the Vice-Chancellor may make appointments of teachers referred to in this section as a temporary measure for a period not exceeding six months to carry on the work and if the recommendations of the Selection Committee are not received within a period of six months, the Vice-Chancellor of the Cluster University may extend the appointments, if any, made by him, for the duration of the academic session with the approval of the Syndicate ;

- (e) to admit new colleges to the privileges of affiliated or constituent colleges of the Cluster University subject to the conditions to be laid down in the Statutes ;
- (f) to arrange for and direct the periodical and special inspection of the colleges and other institutions ;
- (g) to award scholarships, prizes, fellowships, exhibitions, bursaries and other such awards in accordance with the procedure prescribed in this behalf ;
- (h) to control and manage the Libraries of the Cluster University ;
- (i) to provide buildings, premises, furniture, apparatus, equipment and other means and facilities needed for carrying on the work of the Cluster University ;
- (j) to invest any moneys belonging to the Cluster University including any unapplied income in any of the approved securities, or to place in fixed deposit in any bank, approved by the Government in this behalf, any portion of such moneys not required immediately for expenditure ;
- (k) to demand and receive such fees as may from time to time be prescribed by Statutes and Regulations ;



- (1) to constitute committees for specific purposes and to assign such duties to them as may be deemed necessary ;
- (m) to recommend to the University Council the plans for development and expansion of the Cluster University ;
- (n) to appoint paper setters and examiners for all the examinations held by the Cluster University in accordance with the procedure prescribed in the Statutes ;
- (o) to give directions for holding of examinations compilation and publication of results ;
- (p) to give directions for the editing, printing and publishing of such text-books for various examinations of the Cluster University as may be considered necessary for this purpose ;
- (q) to maintain proper standards of teaching and examination in consultation with the Academic Council of the Cluster University ;
- (r) to enter into, vary, carry out and cancel contracts on behalf of the Cluster University ;
- (s) to direct the form, custody and use of the common seal of the Cluster University ;
- (t) to accept or transfer any movable or immovable property on behalf of the Cluster University ;
- (u) to exercise such other powers and perform such other duties as may be conferred upon or assigned to it by this Act or the Statutes ; and
- (v) to delegate, whenever necessary, appropriate financial and administrative powers to the Vice-Chancellor, the Registrar, the Principals of Constituent Colleges, the Heads of the Postgraduate Departments, the Controller of Examinations or any other officer of the Cluster University.

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(2) Any difference or disagreement arising between the Syndicate and the Vice-Chancellor with regard to any decision taken by the Syndicate may be referred by the Vice-Chancellor to the Chancellor. The Chancellor shall refer back such decision to the Syndicate for reconsideration. In case the Syndicate endorses its earlier decision by a two-thirds majority, such decision shall be deemed to be final.

23. *Academic Council.*ô The Academic Council of the Cluster University shall consist of the following persons, all of whom shall be ex-officio members :ô

- (i) The Vice-Chancellor of the Cluster University ;
- (ii) Principals of the Constituent Colleges or Autonomous Colleges or Affiliated Colleges of the Cluster University nominated by the Vice-Chancellor ;
- (iii) The Deans of Faculties of the Cluster University ;
- (iv) The Heads of Departments of the Cluster University having the status of Professors or Associate Professors ;
- (v) Four Professors/Associate Professors from constituent/autonomous/affiliated colleges of the Cluster University representing subjects other than those represented by the Principals, nominated by the Vice-Chancellor ;
- (vi) Deans of the faculties of the other Cluster Universities established in the State ; and
- (vii) Two Professors of the other Cluster Universities established in the State.

24. *Powers and Functions of the Academic Council.*ô (1) The Academic Council of the Cluster University shall have the following powers and functions :ô

- (a) to control and regulate the standards of teaching and examinations in the Cluster University ;

- (b) to prescribe the syllabi and the courses of study for all the examinations held by the Cluster University ;
- (c) to make proposals to the Syndicate and the University Council for the institution of Professorships, Associate Professorships, Assistant Professorships, or other teaching posts and re-appropriating positions in various subjects (on sufficient justifications) in regard to their duties ;
- (d) to formulate, modify or revise, subject to control of the Syndicate and the University Council, schemes for the constitution of Faculties and for the assignment of subjects to the Faculties ;
- (e) to nominate teachers or specialists to the Faculties ;
- (f) to promote research within the Cluster University and to acquire reports of such research from persons engaged therein ;
- (g) to advise the Syndicate and the University Council on academic matters ; and
- (h) to make proposals to the higher authorities of the Cluster University for supplementing the teaching provided in the constituent, autonomous and affiliated colleges.

(2) The Academic Council of the Cluster University shall have the powers to appoint a Standing Committee of the members of the Academic Council of which not less than two thirds shall be Cluster University Professors, Associate Professors, Principals, or teachers of constituent, autonomous and affiliated colleges not lower in rank than that of a Professor or Associate Professor and to delegate to it such of its powers as it may deem fit. The Standing Committee shall have power to invite experts, whenever necessary, for advice on a particular matter under consideration.

25. *Faculties.* (1) The Cluster University shall have the Faculties one each for Arts, Science, Social Sciences, Commerce, Education and such other faculties as may be prescribed by the Statutes of the Cluster University from time to time.

(2) Each of the faculties of Arts, Science, Social Sciences, Commerce and Education shall consist of,ô

- (i) The Professors and Associate Professors of the Cluster University Schools comprising the Faculty ;
- (ii) Professors or Associate Professors, in case there are no Professors in the concerned subject, representing the constituent, autonomous and affiliated colleges of the Cluster University in each subject comprising each Faculty ;
- (iii) two persons other than teachers nominated to the Faculty by the Academic Council possessing expert knowledge of the subject, comprising the Faculty.

26. *Powers of each Faculty.*ô Each Faculty of the Cluster University shall have the following powers and functions, namely :ô

- (a) subject to the control of the Academic Council to organize the teaching work of the Cluster University in the subjects assigned to the Faculty ;
- (b) to suggest to the Academic Council the syllabi and courses of studies for different examinations after consulting the Boards of Studies ;
- (c) to recommend to the Academic Council the conditions for the award of degrees, diplomas and other distinctions ;
- (d) to deal with any matter referred to it by the University Councillor the Syndicate or the Academic Council ;
- (e) to discharge such other functions as may be prescribed by the Statutes and Regulations ; and
- (f) to transact such other business as may be approved by the Deans of the Faculties.

27. *The Deans.*ô (1) There shall be a Dean of each Faculty who shall be nominated by the Vice-Chancellor by rotation according to seniority

in the manner and subject to such conditions as may be prescribed by the Statutes :

Provided that the office of the Dean of a Faculty shall be held by a member of the Faculty who is the Cluster University Professor in a subject comprised in the Faculty and in case if there is no Cluster University Professor in any subject comprised in a Faculty, it may be held by a member of the Faculty who is the Senior Principal or Senior most Professor/Associate Professor in a College in the same faculty :

Provided further that no person shall hold the office of the Dean for more than two consecutive terms except where there is no other person eligible to hold the office.

(2) The Dean of Faculty shall be responsible for the due observance of the Statutes and Regulations relating to his Faculty.

(3) Each Faculty shall comprise such subjects of study as may be prescribed by the Regulations.

28. *Boards of Studies.* (1) In the Cluster University there shall be a Board of Studies for a subject or subjects comprised in a Faculty in accordance with the provisions of the Regulations.

(2) Each Board of Studies shall consist of the following members, namely :ô

- (a) the Professors of the Cluster University Department in the subject assigned to the Board, if there are any ;
- (b) the Associate Professors of the Cluster University Department in the subject assigned to the Board, if there are any ;
- (c) the Senior most Associate Professor, in case there is no Professor, from the department in the subject concerned from each constituent college ;
- (d) the Senior most Associate Professor, in case there is no Professor, from the department in the subject concerned from each constituent autonomous/affiliated college, not lower in rank than that of an Associate Professor ;

- (e) one person who is not a teacher in any affiliated or constituent college of the Cluster University or a Department of the Cluster University, nominated by the Faculty :

Provided further that where it is found that the Board of Studies in any subject is not adequately represented, the Vice-Chancellor of the Cluster University may authorize co-option of teachers in the subject from colleges or the Cluster University Departments to the extent of three members.

(3) Head of the Cluster University Department senior to all other Professors in the department shall be the Convenor and in case there is no Professor of the Cluster University Department in a subject, the Board of Studies shall elect one of its members as the Convenor of the Board.

(4) The terms and conditions of the office of the members of a Board of Studies shall be such as may be prescribed by the Statutes in this behalf.

(5) Where a Board of Studies comprises more than one subject, the Vice-Chancellor may constitute the Board on similar lines so as to ensure that each subject comprised in the Board is adequately represented on it ; Provided that the total number of members of the Board so constituted does not exceed ten.

(6) Notwithstanding anything contained in this section or any Statute or Regulation made thereunder, each Cluster University may have a Board of Postgraduate Studies for each subject in which Postgraduate instructions are imparted, and a Board of Undergraduate Studies for the subject or subjects in which undergraduate instructions are imparted. The composition of these Boards shall be such as may be determined by the Chancellor in consultation with the Vice-Chancellor of the Cluster University.

29. *Functions and Powers of the Board of Studies.*ô (1) It shall be the duty of Board of Studies to make suggestions to the Faculty concerned regarding :ô

- (a) Syllabi for the subject or subjects of instruction ;
- (b) Combination of subjects permitted in various courses ;

- (c) Identification of new courses of study ;
- (c) Appointment of paper-setters and examiners ; and
- (e) Any matter referred to it by the University Council, the Syndicate, the Academic Council or the Faculty concerned.

(2) The Boards of Studies shall also discharge such other functions as may be prescribed by the Statutes or the Regulations.

30. *Boards of Research Studies.* (1) There shall be Boards of Research Studies, one each for Humanities, Science, Social Science and such other fields of study as may be specified by the Syndicate after having consulted the Academic Council of the Cluster University. Each Board shall consist of the Vice-Chancellor, the Registrar, the Dean and the Heads of the Cluster University Departments of the subjects comprised in the Faculty with power to co-opt members :

Provided that an expert in the subjects concerned may be invited to advise on a particular matter relating to each subject. The co-opted members shall hold office for a period of three years. The Vice-Chancellor shall be ex-officio Chairman of each Board and in his absence, Dean of the faculty concerned shall act as Chairman and the Registrar shall be the Member Secretary of the Board.

(2) Each Board shall organize research studies under the guidance of the Academic Council and in accordance with the Statutes and Regulations prescribed in this behalf.

31. *Powers and Functions of the Boards of Research Studies.* Each Board shall have the following powers and functions, namely :ô

- (a) to consider and grant applications for registration for the research degrees in the light of the recommendations made by the Head of the Postgraduate Department concerned ;
- (b) to appoint supervisors for the guidance of research studies ;
- (c) to prescribe to maximum number of research scholars to be guided by an approved supervisor ;

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- (d) to submit to the Academic Council suggestions and proposals for organizing or improvement of the research studies in the Cluster University ; and
- (e) to consider any other matter referred to it by the Academic Council, the Syndicate and the University Council.

32. *Board of Inspection.*ô (1) There shall be a Board of Inspection in the Cluster University consisting of the following members, namely :ô

- (a) A designated officer of the Cluster University to be named as Dean, College Development Council ;
- (b) Principals of the constituent colleges of the Cluster University ; and
- (c) Two Deans of Faculties of the Cluster University by rotation, nominated by the Vice-Chancellor.

(2) The terms and conditions of the office of the members of the Board of Inspection shall be such as may be prescribed by the Statutes in this behalf.

33. *Functions of the Board of Inspection.*ô (1) Subject to the provisions of this Act and the Statutes and Regulations made thereunder, the Board of Inspection shall perform the following functions :ô

- (a) receive all applications for recognition or affiliation of colleges and other teaching institutions including all applications for recognition in new courses or subjects referred to it by the Syndicate and cause an inspection to be made and lay its report before the Syndicate for decision ;
- (b) appoint inspectors for the inspection of a college once at least within a period of three years after the grant of the privileges of an affiliated or' constituent college or after the inspection last held, consider the report of the inspectors and forward it to the Syndicate with its recommendations.

(2) The inspection of colleges and other teaching institutions applying for affiliation or recognition shall be conducted by a Committee to be appointed





(iii) Subject Expert to be nominated by the Academic Council of the University ;

(iv) A member of the Syndicate, nominated by the Vice-Chancellor ; and

(v) Registrar.

**(C) Committee for appointment of the officers of the status of the Joint Registrar, Deputy Librarian and above.ô**

The Committee for appointment of Joint Registrar and Deputy Librarian shall consist of,ô

(i) Vice-Chancellor (Chairman) ;

(ii) Financial Advisor ;

(iii) Education Advisor ;

(iv) Senior most principal from amongst the constituent college of the Cluster University ; and

(v) a member of the University Council, nominated by the Chancellor.

**(D) Committee for appointment of officers below the status of the Joint Registrar and Deputy Librarian.ô**

The Committee for appointment of officers below the status of the Joint Registrar and Deputy Librarian shall consist of :ô

(i) Vice-Chancellor (Chairman) ;

(ii) Financial Advisor ;

(iii) Educational Advisor ;

(iv) A member of the Syndicate, nominated by the Vice-Chancellor ;

(v) Registrar.

- (a) the holding of Convocation by the Cluster University to confer degrees ;
- (b) the conferment of Honorary Degree ;
- (c) the institution of Fellowships, Scholarships, Exhibitions, Bursaries, Medals and Prizes ;
- (d) the conditions of service of the Vice-Chancellor and other officers of the Cluster University ;
- (e) the designation and powers of the officers of the Cluster University ;
- (f) the constitution, powers and duties of the authorities of the Cluster University ;
- (g) the conditions for recognition and affiliation of colleges and other institutions to the Cluster University ;

- (h) the classification of teachers employed by the Cluster University ;
- (i) the constitution of pension or general provident fund or contributory provident fund or New Pension Scheme (NPS) for the benefit of the officers, teachers and other servants employed by the Cluster University ;
- (j) the conditions under which students shall be admitted, to the examinations conducted by the Cluster University, and be eligible for degrees, diplomas or certificates ;
- (k) the fees to be charged for admission to the examinations and the Departments of the Cluster University ;
- (l) the conditions and mode of employment and the duties of examiners and paper setters ;
- (m) the conduct of examinations ;
- (n) the admission of students to constituent and affiliated colleges ;
- (o) the number, qualifications and emoluments of teachers employed by the Cluster University ; and
- (p) all matters which by this Act are to be or may be prescribed by the Statutes.

39. *Statutes how made.*ô (1) Subject to the provisions of this Act, the Statutes may be amended or repealed or added to by Statutes made by the University Council in the manner hereinafter appearing.

(2) The University Council may of its own motion take into consideration the draft of any Statute submitted to it by one of its own members :

Provided that in any such case, before a Statute is passed, the opinion of the Syndicate or if the draft of such a Statute affects the powers, duties

- (4) (a) When the University Council has passed a Statute, it shall be submitted to the Chancellor who may assent to it or may withhold his assent or may refer it back to the University Council for further consideration.
- (b) If the University Council rejects the draft of a Statute proposed by the Syndicate, the draft shall be submitted to the Chancellor who may refer it back to the University Council for further consideration.
- (c) A Statute passed by the University Council shall not become valid until assent thereto of Chancellor has been notified.

(a) Affecting the status, powers or constitution of an authority of the Cluster University until such authority has been given an opportunity of expressing an opinion upon the proposal. Any opinion so expressed shall be in writing and shall be considered by the University Council and shall be submitted to the Chancellor ; and

- (b) Affecting the conditions of recognition and affiliation of constituent, autonomous and affiliated colleges to the Cluster University after consultation with the Academic Council.

40. *Regulations.*ô The authorities and the bodies of the Cluster University may recommend to the Cluster University Council Regulations consistent with this Act and the Statutes providing for all or any of the following matters :ô

- (a) the procedure to be observed at their meetings and the number of members required to form a quorum ;
- (b) the notice to be given of the meetings and of business to be considered thereat, the keeping of records of their proceedings and similar matters ;
- (c) all matters which by this Act or the Statutes are to be prescribed by the Regulations ;
- (d) the conditions of residence of students ;
- (e) the discipline of students ;
- (f) the classification or inclusion of subjects of study in various Faculties ;
- (g) the constitution, powers and duties of the various Boards of the Cluster University ;
- (h) the periodical inspection of constituent, autonomous or affiliated colleges and other institutions.

41. *Regulations how made.*ô (1) The University Council of the Cluster University shall make Regulations in consultation with the Syndicate after receiving drafts from the authorities and bodies of the Cluster University :

Provided that the University Council shall not consider the draft of any Regulations regarding classification or inclusion of the subjects of study

in the various Faculties, otherwise than on the recommendations of the Academic Council.

42. *Annual Report.* The Annual Report of the Cluster University shall be prepared at the close of a financial year under the directions of the Syndicate and shall be submitted to and considered by the Cluster University Council.

44. *Filling of Casual Vacancies.* (1) All casual vacancies among the members (other than ex-officio members) of any authority or other body of the Cluster University shall be filled, as soon as conveniently may be, by the persons or body who appointed, elected or co-opted the member whose place has become vacant, and the person appointed, elected or co-opted, to casual vacancy, shall be a member of such authority or body for the residue of the term for which the person whose place he fills, would have been a member.

45. *Proceedings of Cluster University Authorities and Bodies not invalidated by Vacancies.* No act or proceedings of any authority or other body or committee of the Cluster University shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members

or by reason of some person having taken part in the proceedings who is subsequently found not to have been entitled to do so.

*46. Appointment of Special Officer until Cluster University Authorities are duly Constituted.*-ô (1) At any time after the passing of this Act and until such time as the Cluster University shall have been duly constituted or until such time as the Chancellor may desire, a special officer shall be appointed by the Chancellor for the University.

(2) Subject to the superintendence of the Vice-Chancellor, the Special Officer shall frame the Statutes and Regulations as may be necessary to bring the Statutes and Regulations in conformity with the provisions of this Act. The modifications, alterations and additions proposed by the Special Officer shall, if approved by the Chancellor be deemed to have been made by the competent authority under this Act and shall continue to be in force until altered or superseded by the authority constituted under this Act.

*47. Affiliation of State Educational Institutions with the Cluster University.*ô (1) Notwithstanding anything contained in this Act or the Statutes with regard to the conditions of the recognition and affiliation of colleges and other educational institutions, Government Degree College, Leh and Government Degree College, Nubra, Government Degree College, Kargil, Government Degree College, Zaskar and Government Degree College, Drass shall be constituent colleges of the Cluster University, immediately after the Act comes into force :

Provided further that any new college established by Government in Ladakh region, shall be affiliated/constituent college of this University.

(2) De-affiliation of the constituent colleges of the Cluster University from the present affiliating Universities, viz., University of Kashmir shall be completed in a phased manner to facilitate a smooth completion of the courses by the students already enrolled in the constituent colleges as per their present affiliation.



36 The J&K Govt. Gazette, 16th Dec., 1918/25th Agra., 1940. [No. 37-18  
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48. *Removal of Difficulties.* If any difficulty arises as to the first constitution of any authority of the Cluster University after the commencement of this Act, or otherwise in giving effect to the provisions of this Act, the Government may by order do anything which appears to them necessary for the purpose of removing the difficulty.

49. *Transitional Provisions.* Notwithstanding anything contained in this Act or any Statute or Regulation made thereunder, the appointment of the first Vice-Chancellor, and the first Registrar and the first Controller of Examination of the Cluster University constituted under this Act shall be made by the Chancellor and, until the first appointment as aforesaid is made, the Chancellor may make provisional appointments on the said posts, on such terms and conditions and for such period, as he deems appropriate.

SATYA PAL MALIK,

Governor.

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(Sd.) ASHISH GUPTA,

Deputy Legal Remembrancer,  
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK633



**THE  
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

.....  
Vol. 131] Jammu, Fri., the 7th Dec., 2018/16th Agra., 1940. [No. 36-9

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Separate paging is given to this part in order that it may be filed as a  
separate compilation.

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**PART II—C**

**Notifications, Notices and Orders by the Election Commission.**

—————  
SECRETARIAT OF THE  
ELECTION COMMISSION OF INDIA,  
Nirvachan Sadan, Ashoka Road, New Delhi-110001.

Dated 7th December, 2018.  
16th Agra., 1940 (Saka).

**Notification**

No. 154/J&K/2018-P.Admn.ô In exercise of the powers conferred  
by sub-section (1) of section 13A of the Representation of the People Act,  
1950 (43 of 1950) and section 7A of the Jammu and Kashmir Representation

2 The J&K Govt. Gazette, 7th Dec., 2018/16th Agra., 1940. [No. 36-9  
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of the People Act, 1957, the Election Commission of India in consultation  
with the Government of Jammu and Kashmir hereby nominates Shri  
Shailendra Kumar, IAS (JK :1995) as the Chief Electoral Officer for the  
State of Jammu and Kashmir with effect from the date he takes over  
charge and until further orders in place of Shri Shaleen Kabra, IAS.

2. Shri Shailendra Kumer shall cease to hold and hand over forthwith  
the charge of all or any charges of work under the Government of Jammu  
and Kashmir, which he may be holding before such assumption of office.

3. Shri Shailendra Kumar while functioning as the Chief Electoral  
Officer, Jammu and Kashmir shall not hold any additional charge whatsoever  
under the Government of Jammu and Kashmir except that he should be  
designated Principal Secretary to the Government incharge of Election  
Department in the State Secretariat.

By order.

(Sd.) B. C. PATRA,

Secretary.

EXTRAORDINARY

REGD. NO. JK 33



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Jammu, Sun., the 16th Dec., 2018/25th Agra., 1940. [No. 37-13

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**PART III**

**Laws, Regulations and Rules passed thereunder.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT DEPARTMENT OF LAW, JUSTICE  
AND PARLIAMENTARY AFFAIRS  
(Legislation Section)

Jammu, the 16th December, 2018.

The following Act been assented to by the Governor  
on 16th December, 2018 and is hereby published for general  
information :óó

**THE JAMMU AND KASHMIR REAL ESTATE  
(REGULATION AND DEVELOPMENT) ACT, 2018**

(Governor Act No. LIII of 2018)

[16th December, 2018.]

Enacted by the Governor in the Sixty-ninth Year of the Republic  
of India.

An Act to establish the Real Estate Regulatory Authority for regulation and promotion of the real estate sector and to ensure sale of plot, apartment or building, as the case may be, or sale of real estate project, in an efficient and transparent manner and to protect the interest of consumers in the real estate sector and to establish an adjudicating mechanism for speedy dispute redressal and also to establish the Appellate Tribunal to hear appeals from the decisions, directions or orders of the Real Estate Regulatory Authority and the adjudicating officer and for matters connected therewith or incidental thereto.

In exercise of the powers vested under Proclamation No. P-1/18 of 2018 dated 20th June, 2018, the Governor is pleased to enact as follows :ô

## Preliminary

- (a) "adjudicating officer" means the adjudicating officer appointed under sub-section (1) of section 71 ;
- (b) "advertisement" means any document described or issued as through any medium and includes any notice, circular or other documents or publicity in any form, informing persons about a real estate project, or offering for sale of a plot, building or apartment or inviting persons to purchase in any manner such plot, building or apartment or to make advances or deposits for such purposes ;
- (c) "agreement for sale" means an agreement entered into between the promoter and the allottee ;

- (d) "allottee" in relation to a real estate project, means the person who is a permanent resident of the State of Jammu and Kashmir to whom a plot, apartment or building, as the case may be, has been allotted, sold (whether as freehold or leasehold) or otherwise transferred by the promoter, and includes the person who is a permanent resident of the State of Jammu and Kashmir and subsequently acquires the said allotment through sale, transfer or otherwise but does not include a person to whom such plot, apartment or buildings, as the case may be, is given on rent ;
- (e) "apartment" whether called block, chamber, dwelling unit, flat, office, showroom, shop, godown, premises, suit, tenement, unit or by any other name, means a separate and self-contained part of any immovable property, including one or more rooms or enclosed spaces, located on one or more floors or any part thereof, in a building or on a plot of land, used or intended to be used for any residential or commercial use such as residence, office, shop showroom or godown or for carrying on any business, occupation, profession or trade or for any other type of use ancillary to the purpose specified ;
- (f) "Appellate Tribunal" means the Real Estate Appellate Tribunal established under section 43 ;
- (g) "architect" means a person registered as an architect under the provisions of the Architects Act, 1972 ;
- (h) "Authority" means the Real Estate Regulatory Authority established under sub-section (1) of section 20 ;
- (i) "building" includes any structure or erection or part of a structure or erection which is intended to be used for residential, commercial or for the purpose of any business, occupation, profession or trade, or for any other related purposes ;
- (j) "carpet area" means the net usable floor area of an apartment, excluding the area covered by the external walls, areas under

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services shafts, exclusive balcony or verandah area and exclusive open terrace area, but includes the area covered by the internal partition walls of the apartment.

*Explanation :*ô For the purpose of this clause, the expression ôexclusive balcony or verandah areaö means the area of the balcony or verandah, as the case may be, which is appurtenant to the net usable floor area of an apartment, meant for the exclusive use of the allottee ; and ôexclusive open terrace areaö means the area of open terrace which is appurtenant to the net usable floor area of an apartment, meant for the exclusive use of the allottee ;

- (k) "Chairperson" means the Chairperson of the Real Estate Regulatory Authority appointed under section 21 ;
- (l) "Commencement certificate" means the commencement certificate or the building permit or the construction permit, by whatever name called issued by the competent authority to allow or permit the promoter to begin development works on an immovable property, as per the sanctioned plan ;
- (m) "Common areas" mean
  - (i) the entire land for the real estate project or where the project is developed in phases and registration under this Act is sought for a phase the entire land for that phase ;
  - (ii) the staircases, lifts, staircase and lift lobbies, fire escapes, and common entrances and exits of buildings ;
  - (iii) the common basements, terraces, parks, play areas, open parking areas and common storage spaces ;
  - (iv) the premises for the lodging of persons employed for the management of the property including accommodation for watch and ward staffs or for the lodging of community service personnel ;

- (v) installations of central services such as electricity, gas, water and sanitation, airconditioning and incinerating system for water conservation and renewable energy ;
- (vi) the water tanks, sumps, motors, fans, compressors, ducts and all apparatus connected with installations for common use ;
- (vii) all community and commercial facilities as provided in the real estate project ;
- (viii) all other portions of the project necessary or convenient for its maintenance, safety, etc. and in common use ;
- (n) **öcompanyö** means a company incorporated and registered under the Companies Act, 2013 and includes,ö
  - (i) a corporation established by or under any Central Act or State Act ;
  - (ii) a development authority or any public authority established by the Government in this behalf under any law for the time being in force ;
- (o) **öcompetent authorityö** means the local authority or any authority created or established under any law for the time being in force by the Government which exercises authority over land under its jurisdiction, and has powers to give permission for development of such immovable property ;
- (p) **öcompletion certificateö** means the completion certificate, or such other certificate, by whatever name called, issued by the competent authority certifying that the real estate project has been developed according to the sanctioned plan, layout plan and specifications, as approved by the competent authority under the local laws ;
- (q) **ödayö** means the working day, as may be, notified by the Government from time to time ;
- (r) **ödevelopmentö** with its grammatical variations and cognate expressions, means carrying out the development of





agricultural/horticultural use like Paddy, Malayri (vegetable),  
saffron and orchards ;

- (za) ôinterestö means the rates of interest payable by the promoter  
or the allottee, as the case may be.

*Explanation* :ô For the purpose of this clauseô

- (i) the rate of interest chargeable from the allottee by the promoter, in case of default, shall be equal to the rate of interest which the promoter shall be liable to pay the allottee, in case of default ;
  - (ii) the interest payable by the promoter to the allottee shall be from the date the promoter received the amount or any part thereof till the date the amount or part thereof and interest thereon is refunded, and the interest payable by the allottee to the promoter shall be from the date the allottee defaults in payment to the promoter till the date it is paid ;
- (zb) ôinternal development worksö means roads, footpaths, water supply, sewers, drains, parks, tree planting, street lighting, provision for community buildings and for treatment and disposal of sewage and sullage water, solid waste management and disposal, water conservation, energy management, fire protection and fire safety requirements, social infrastructure such as educational health and other public amenities or any other work in a project for its benefit, as per sanctioned plans ;
- (zc) ôlocal authorityö means the Municipal Corporation, Municipality, Panchayats, Development Authorities or any other Local Body constituted under any law for the time being in force for providing municipal services or basic amenities, as the case may be, in respect of areas under its jurisdiction ;
- (zd) ôMemberö means the member of the Real Estate Regulatory Authority appointed under section 21 and includes the Chairperson ;

- (ze) "notification" means a notification published in the Government Gazette and the expression "notify" shall be construed accordingly ;
- (zf) "occupancy certificate" means the occupancy certificate, or such other certificate by whatever name called, issued by the competent authority permitting occupation of any building, as provided under local laws, which has provision for civic infrastructure such as water, sanitation and electricity ;
- (zg) "Person" includes,
  - (i) an individual ;
  - (ii) a Hindu undivided family ;
  - (iii) a company ;
  - (iv) a firm under the Indian Partnership Act, 1932 or the Limited Liability Partnership Act, 2008, as the case may be ;
  - (v) a competent authority ;
  - (vi) an association of persons or a body of individuals whether incorporated or not ;
  - (vii) a co-operative society registered under any law relating to co-operative societies ;
  - (viii) any such other entity as the Government may, by notification, specify in this behalf ;
- (zh) "planning area" means a planning area or a development area or a local planning area or a regional development plan area, by whatever name called, or any other area specified as such by the Government or any competent authority and includes any area designated by the Government or the competent authority to be a planning area for future planned development, under any law relating to Town Planning for the time being in force and as revised from time to time called as Master Plan and Zonal Plan ;

- (zi) ôprescribedö means prescribed by rules made under this Act ;
- (zj) ôprojectö means the real estate project as defined in clause (zn) ;
- (zk) ôpromoterö means,ô
  - (i) a person who constructs or causes to be constructed an independent building or a building consisting of apartments, or converts an existing building or a part thereof into apartments, for the purpose of selling all or some of the apartments to other persons and includes his assignees ; or
  - (ii) a person who develops land into a project, whether or not the person also constructs structures on any of the plots, for the purpose of selling to other persons all or some of the plots in the said project, whether with or without structures thereon ; or
  - (iii) any development authority or any other public body in respect of allottees ofô
    - (a) buildings or apartments, as the case may be, constructed by such authority or body on lands owned by them or placed at their disposal by the Government ; or
    - (b) plots owned by such authority or body or placed at their disposal by the Government, for the purpose of selling all or some of the apartments or plots :ô

*Explanation* :ô For the purposes of this sub-clause, ÷saleö shall mean of buildings or apartments or plots to a permanent resident of the State of Jammu and Kashmir ; or

- (iv) an apex State level co-operative housing finance society and a primary co-operative housing society which constructs apartments or buildings for its Members or in respect of the allottees of such apartments or buildings ; or

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- (v) any other person who acts himself as a builder, colonizer, contractor, developer, estate developer or by any other name or claims to be acting as the holder of a power of attorney from the owner of the land on which the building or apartment is constructed or plot is developed for sale ; or
- (vi) such other person who constructs any building or apartment for sale to the general public.

*Explanation :* For the purposes of this clause, where the person who constructs or converts a building into apartments or develops a plot for sale and the persons who sells apartments or plots are different persons, both of them shall be deemed to be the promoters and shall be jointly liable as such for the functions and responsibilities specified, under this Act or the rules and regulations made thereunder ;

- (zl)   õprospectusõ means any document described or issued as a prospectus or any notice, circular, or other document offering for sale or any real estate project or inviting any person to make advances or deposits for such purposes ;
- (zm)   õreal estate agentõ means any person, who negotiates or acts on behalf of one person in a transaction of transfer of his plot, apartment or building, as the case may be, in a real estate project, by way of sale, with another person or transfer of plot, apartment or building, as the case may be, of any other person to him and receives remuneration or fees or any other charges for his services whether as commission or otherwise and includes a person who introduces, through any medium, prospective buyers and sellers to each other for negotiation for sale or purchase of plot, apartment or building, as the case may be, and includes property dealers, brokers, middlemen by whatever name called ;

- (2) Words and expressions used herein but not defined in this Act and defined in any law for the time being in force or in the municipal laws or such other relevant laws of the Government shall have the same meanings respectively assigned to them in those laws.

## Registration of Real Estate Project and Registration of Real Estate Agents

3. *Prior registration of real estate project with Real Estate Regulatory Authority.* (1) No promoter shall advertise, market, book, sell or offer for sale, or invite persons to purchase in any manner any plot, apartment or building, as the case may be, in any real estate project or part of it, in

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any planning area, without registering the real estate project with the Real Estate Regulatory Authority established under this Act :

Provided that projects that are ongoing on the date of commencement of this Act and for which the completion certificate has not been issued, the promoter shall make an application to the Authority for registration of the said project within a period of three months from the date of commencement of this Act :

Provided further that if the Authority thinks necessary, in the interest of allottees, for projects which are developed beyond the planning area but with the requisite permission of the local authority, it may, by order, direct the promoter of such project to register with the Authority, and the provisions of this Act or the rules and regulations made thereunder, shall apply to such projects from that stage of registration.

(2) Notwithstanding anything contained in sub-section (1), no registration of the real estate project shall be requiredô

- (a) where the area of land proposed to be developed does notô
  - (i) exceed one kanal or the number of apartments proposed to be developed does not exceed eight inclusive of all phases ; and
  - (ii) exceed two kanals of land which is permitted to be used for residential purposes in terms of section 13 of the Jammu and Kashmir Agrarian Reforms Act, 1976 :

Provided that, if the Government considers it necessary, it may, reduce the aforesaid threshold limit of land or limit of eight apartments, as the case may be, inclusive of all phases, for exemption from registration under this Act ;

- a. where the promoter has received completion certificate for a real estate project prior to commencement of this Act ;
- b. for the purpose of renovation or repair or re-development which does not involve marketing, advertising selling or new allotment of any apartment,







documents with authentication of such title, if  
such land is owned by another person ;

- (ii) that the land is free from all encumbrances, or as  
the case may be details of the encumbrances on  
such land including any rights, title, interest or  
name of any party in or over such land along with  
details ;
- (iii) the time period within which he undertakes to  
complete the project or phase thereof, as the case  
may be ;
- (iv) that seventy per cent of the amounts realized for  
the real estate project from the allottees, from  
time to time, shall be deposited in a separate  
account to be maintained in a scheduled bank to  
cover the cost of construction and the land cost  
and shall be used only for that purpose :ô

Provided that the promoter shall withdraw the  
amounts from the separate account, to cover the  
cost of the project, in proportion to the percentage  
of completion of the project :

Provided further that the amounts from the  
separate account shall be withdrawn by the  
promoter after it is certified by an engineer, an  
architect and a chartered accountant in practice  
that the withdrawal is in proportion to the  
percentage of completion of the project :

Provided also that the promoter shall get his  
accounts audited within six months after the end  
of every financial year by a chartered accountant  
in practice, and shall produce a statement of  
accounts duly certified and signed by such  
chartered accountant and it shall be verified  
during the audit that the amounts collected for a  
particular project have been utilized for the

project and the withdrawal has been in compliance with the proportion to the percentage of completion of the project.

- (v) that he shall take all the pending approvals on time, from the competent authorities ;
- (vi) that he has furnished such other documents as may be prescribed by the rules or regulations made under this Act ; and
- (vii) such other information and documents as may be prescribed.

5. *Grant of registration.* (1) On receipt of the application under sub-section (1) of section 4, the Authority shall within a period of thirty days,

- Provided that no application shall be rejected unless the applicant has been given an opportunity of being heard in the matter.

6. *Extension of registration.* The registration granted under section 5 may be extended by the Authority on an application made by the promoter due to force majeure, in such form and on payment of such fee as may be specified by regulations made by the Authority :

Provided further that no application for extension of registration shall be rejected unless the applicant has been given an opportunity of being heard in the matter.

7. *Revocation of Registration.* (1) The Authority may, on receipt of a complaint or suo motu in this behalf or on the recommendation of the



(3) The Authority may, instead of revoking the registration under sub-section (1), permit it to remain in force subject to such further terms and conditions as it thinks fit to impose in the interest of the allottees, and any such terms and conditions so imposed shall be binding upon the promoter.

(4) The Authority, upon the revocation of the registration,ô

- (a) shall debar the promoter from accessing its website in relation to that project and specify his name in the list of defaulters and display his photograph on its website and also inform the other Real Estate Regulatory Authority in other States and Union territories about such revocation or registration ;
- (b) shall facilitate the remaining development works to be carried out in accordance with the provisions of section 8 ;
- (c) shall direct the bank holding the project back account, specified under sub-clause (iv) of clause (I) of sub-section (2) of section 4, to freeze the account, and thereafter take such further necessary actions, including consequent de-freezing of the said account, towards facilitating the remaining development works in accordance with the provisions of section 8 ;
- (d) may, to protect the interest of allottees or in the public interest, issue such directions as it may deem necessary.

8. *Obligation of Authority consequent upon lapse of or on revocation of registration.*ô Upon lapse of the registration or on revocation of the registration under this Act, the Authority, may consult the Government to take such action as it may deem fit including the carrying out of the remaining development works by competent authority or by the

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association of allottees or in any other manner, as may be determined by  
the Authority :

Provided that no direction, decision or order of the Authority under  
this section shall take effect until the expiry of the period of appeal provided  
under the provisions of this Act :

Provided further that in case of revocation of registration of a project  
under this Act, the association of allottees shall have the first right of refusal  
for carrying out of the remaining development works.

9. *Registration of real estate agents.* (1) No real estate agent shall  
facilitate the sale or purchase of or act on behalf of any person to facilitate  
the sale or purchase of any plot, apartment or building, as the case may be,  
in a real estate project or part of it, being the part of the real estate project  
registered under section 3, being sold by the promoter in any planning  
area, without obtaining registration under this section.

(2) Every real estate agent shall make an application to the Authority  
for registration in such form, manner, within such time and accompanied  
by such fee and documents as may be prescribed.

(3) The Authority shall, within such period, in such manner and  
upon satisfying itself of the fulfillment of such conditions, as may be  
prescribed

- (a) grant a single registration to the real estate agent for the  
entire State ;
- (b) reject the application for reasons to be recorded in  
writing, if such application does not conform to the  
provisions of the Act or the rules or regulations made  
thereunder :

Provided that no application shall be rejected unless the  
applicant has been given an opportunity of being heard  
in the matter.

(4) Where on the completion of the period specified under  
sub-section (3), if the applicant does not receive any communication about  
the deficiencies in his application or the rejection of his application, he  
shall be deemed to have been registered.

(5) Every real estate agent who is registered as per the provisions of this Act or the rules and regulations made thereunder, shall be granted a registration number by the Authority, which shall be quoted by the real estate agent in every sale facilitated by him under this Act.

(6) Every registration shall be valid for such period as may be prescribed, and shall be renewable for a period in such manner and on payment of such fee as may be prescribed.

(7) Where any real estate agent who has been granted registration under this Act commits breach of any of the conditions thereof or any other terms and conditions specified under this Act or any rules or regulations made thereunder, or where the Authority is satisfied that such registration has been secured by the real estate agent through misrepresentation or fraud, the Authority may, without prejudice to any other provisions under this Act, revoke the registration or suspend the same for such period as it thinks fit :

Provided that no such revocation or suspension shall be made by the Authority unless an opportunity of being heard has been given to the real estate agent.

10. *Functions of real estate agents.*ô Every real estate agent registered under section 9 shall,ô

- (a) not facilitate the sale or purchase of any plot, apartment or building, as the case may be, in a real estate project or part of it, being sold by the promoter in any planning area, which is not registered with the Authority ;
- (b) maintain and preserve such books of account, records and documents as may be prescribed ;
- (c) not involve himself in any unfair trade practices, namely:ô
  - (i) the practice of making any statement, whether orally or in writing or by visible representation whichô
    - (A) falsely represents that the services are of a particular standard or grade ;



- (B) represents that the promoter or himself has approval or affiliation which such promoter or himself does not have ;
- (C) makes a false or misleading representation concerning the services ;
- (ii) permitting the publication of any advertisement whether in any newspaper or otherwise of services that are not intended to be offered.
- (d) facilitate the possession of all the information and documents, as the allottee, is entitled to, at the time of booking of any Plot, apartment or building, as the case may be ;
- (e) discharge such other functions as may be prescribed.

## CHAPTER II

## Functions and Duties of Promoter

11. *Functions and duties of promoter.* (1) The promoter shall, upon receiving his Login Id and password under clause (a) of sub-section (1) or under sub-section (2) of section 5, as the case may be, create his web page on the website of the Authority and enter all details of the proposed project as provided under sub-section (2) of section 4, in all the fields as provided, for public viewing, including,

- (a) details of the registration granted by the Authority ;
- (b) quarterly up-to-date the list of number and types of apartments or plots, as the case may be, booked ;
- (c) quarterly up-to-date the list of number of garages booked ;
- (d) quarterly up-to-date the list of approvals taken and the approvals which are pending subsequent to commencement certificate ;

(e) quarterly up-to-date status of the project ; and

(f) such other information and documents as may be specified by the regulations made by the Authority.

(2) The advertisement or prospectus issued or published by the promoter shall mention prominently the website address of the Authority, wherein all details of the registered project have been entered and include the registration number obtained from the Authority and such other matters incidental thereto.

(3) The promoter at the time of the booking and issue of allotment letter shall be responsible to make available to the allottee, the following information, namely:ô

(a) sanctioned plans, layout plans, along with specifications, approved by the competent authority, by display at the site or such other place as may be specified by the regulations made by the Authority ;

(b) the stage-wise time schedule of completion of the project, including the provisions for civic infrastructure like water, sanitation and electricity.

(4) The promoter shall,ô

(a) be responsible for all obligations, responsibilities and functions under the provisions of this Act or the rules and regulations made thereunder or to the allottees as per the agreement for sale, or to the association of allottees, as the case may be, till the conveyance of all the apartments, plots or buildings, as the case may be, to the allottees, or the common areas to the association of allottees or the competent authority, as the case may be :

Provided that the responsibility of the promoter, with respect to the structural defect or any other defect for such period as is referred to in sub-section (3) of section 14, shall continue even after the conveyance deed of all the apartments, plots or buildings, as the case may be, to the allottees are executed ;ô

- Provided that in the absence of local laws, the association of allottees, by whatever name called, shall be formed within a period of three months of the majority of allottees having booked their plot or apartment or building, as the case may be, in the project ;

- (f) execute a registered conveyance deed of the apartment, plot or building, as the case may be, in favour of the allottee along with the undivided proportionate title in the common areas to the association of allottees or competent authority, as the case may be, as provided under section 17 of this Act ;
- (g) pay all outgoings until he transfers the physical possession of the real estate project to the allottee or the associations of allottees, as the case may be, which he has collected from the allottees, for the payment of outgoings (including land cost, ground rent, municipal or other local taxes,

charges for water or electricity, maintenance charges, including mortgage loan and interest on mortgages or other encumbrances and such other liabilities payable to competent authorities, banks and financial institutions, which are related to the project) :

Provided that where any promoter fails to pay all or any of the outgoings collected by him from the allottees or any liability, mortgage loan and interest thereon before transferring the real estate project to such allottees, or the association of the allottees, as the case may be, the promoter shall continue to be liable, even after the transfer of the property, to pay such outgoings and penal charges, if any, to the authority or person to whom they are payable and be liable for the cost of any legal proceedings which may be taken therefor by such authority or person ;

- (h) after he executes an agreement for sale for any apartment, plot or building, as the case may be, not mortgage or create a charge on such apartment, plot or building, as the case may be, and if any such mortgage or charge is made or created then notwithstanding anything contained in any other law for the time being in force, it shall not affect the right and interest of the allottee who has taken or agreed to take such apartment, plot or building, as the case may be.

(5) The promoter may cancel the allotment only in terms of the agreement for sale :

Provided that the allottee may approach the Authority for relief, if he is aggrieved by such cancellation and such cancellation is not in accordance with the terms of the agreement for sale, unilateral and without any sufficient cause.

(6) The promoter shall prepare and maintain all such other details as may be specified, from time to time, by regulations made by the Authority.



(2) Notwithstanding anything contained in any law, contract or agreement, after the sanctioned plans, layout plans and specifications and the nature of the fixtures, fittings, amenities and common areas, of the apartment, plot or building, as the case may be, as approved by the competent authority, are disclosed or furnished to the person who agree to take one or more of the said apartment, plot or building, as the case may be, the promoter shall not makeô

- (i) any additions and alterations in the sanctioned plans, layout plans and specifications and the nature of fixtures, fittings and amenities described therein in respect of the apartment, plot or building, as the case may be, which are agreed to be taken, without the previous consent of that person ;

Provided that the promoter may make such minor additions or alterations as may be required by the allottee, or such minor changes or alterations as may be necessary due to architectural and structural reasons duly recommended and verified by an authorized Architect or Engineer after proper declaration and intimation to the allottee.

*Explanation :*ô For the purpose of this clause, ôminor additions or alterationsö excludes structural change including an addition to the area or change in height, or the removal of part of a building, or any change to the structure, such as the construction or removal or cutting into of any wall or a part of a wall, partition, column, beam, joist, floor including a mezzanine floor or other support, or a change to or closing of any required means of access ingress or egress or a change to the fixtures or equipment, etc.

- (ii) any other alterations or additions in the sanctioned plans, layout plans and specifications of the buildings

or the common areas within the project without the previous written consent of at least two-thirds of the allottees, other than the promoter, who have agreed to take apartments in such building.

*Explanation :*ô For the purpose of this clause, the allottees, irrespective of the number of apartments or plots, as the case may be, booked by him or booked in the name of his family, or in the case of other persons such as companies or firms or any association of individuals, etc., by whatever name called, booked in its name or booked in the name of its associated entities or related enterprises, shall be considered as one allottee only.

(3) In case any structural defect or any other defect in workmanship, quality or provision of services or any other obligations of the promoter as per the agreement for sale relating to such development is brought to the notice of the promoter within a period of five years by the allottee from the date of handing over possession, it shall be the duty of the promoter to rectify such defects without further charge, within thirty days, and in the event of promoter's failure to rectify such defects within such time, the aggrieved allottees shall be entitled to receive appropriate compensation in the manner as provided under this Act.

15. *Obligation of promoter in case of transfer of a real estate project to a third party.* (1) The promoter shall not transfer or assign his majority rights and liabilities in respect of a real estate project to a third party without obtaining prior written consent from two-third allottees, except the promoter, and without the prior written approval of the Authority;

Provided that such transfer or assignment shall not affect the allotment or sale of the apartments, plots or buildings as the case may be, in the real estate project made by the erstwhile promoter.

*Explanation :*ô For the purpose of this sub-section, the allottee, irrespective of the number of apartments or plots, as the case may be, booked by him or booked in the name of his family, or in the case of other persons such as companies or firms or

any association of individuals, by whatever name called, booked in its name or booked in the name of its associated entities or related enterprises, shall be considered as one allottee only.

(2) On the transfer or assignment being permitted by the allottees and the Authority under sub-section (1), the intending promoter shall be required to independently comply with all the pending obligations under the provisions of this Act or the rules and regulations made thereunder, and the pending obligations as per the agreement for sale entered into by the erstwhile promoter with the allottees :

Provided that any transfer or assignment permitted under provisions of this section shall not result in extension of time to the intending promoter to complete the real estate project and he shall be required to comply with all the pending obligations of the erstwhile promoter, and in case of default, such intending promoter shall be liable to the consequences of breach or delay, as the case may be, as provided under this Act or the rules and regulations made thereunder.

16. *Obligations of promoter regarding insurance of real estate project.*ô (1) The promoter shall obtain all such insurances as may be notified by the Government, including but not limited to insurance in respect ofô

- (i) title of the land and building as a part of the real estate project ; and
- (ii) construction of the real estate project.

(2) The promoter shall be liable to pay the premium and charges in respect of the insurance specified in sub-section (1) and shall pay the same before transferring the insurance to the association of the allottees.

(3) The insurance as specified under sub-section (1) shall stand transferred to the benefit of the allottee or the association of allottees, as the case may be, at the time of promoter entering into an agreement for sale with the allottee.

(4) On formation of the association of the allottees, all documents relating to the insurance specified under sub-section (1) shall be handed over to the association of the allottees.





under this Act or for any other reason, he shall be liable on demand to the allottees. in case the allottee wishes to withdraw from the project, without prejudice to any other remedy available, to return the amount received by him in respect of that apartment, plot, building, as the case may be, with interest at such rate as may be prescribed in this behalf including compensation in the manner as provided under this Act :ô

Provided that where an allottee does not intend to withdraw from the project, he shall be paid, by the promoter, interest for every month of delay, till the handing over of the possession, at such rate as may be prescribed.

(2) The promoter shall compensate the allottees in case of any loss caused to him due to defective title of the land, on which the project is being developed or has been developed, in the manner as provided under this Act, and the claim for compensation under this sub-section shall not be barred by limitation provided under any law for the time being in force.

(3) If the promoter fails to discharge any other obligations imposed on him under this Act or the rules or regulations made thereunder or in accordance with the terms and conditions of the agreement for sale, he shall be liable to pay such compensation to the allottees, in the manner as provided under this Act.

## CHAPTER IV

### *Rights and Duties of Allottees*

19. *Rights and duties of allottees.*ô (1) The allottee shall be entitled to obtain the information relating to sanctioned plans, layout plans along with the specifications approved by the competent authority and such other information as provided in this Act or the rules and regulations made thereunder or the agreement for sale signed with the promoter.

(2) The allottee shall be entitled to know stage-wise time schedule of completion of the project, including the provisions for water,

sanitation, electricity and other amenities and services as agreed to between the promoter and the allottee in accordance with the terms and conditions of the agreement for sale.

(4) The allottee shall be entitled to claim the refund of amount paid along with interest at such rate as may be prescribed and compensation in the manner as provided under this Act, from the promoter, if the promoter fails to comply or is unable to give possession of the apartment, plot or building, as the case may be, in accordance with the terms of agreement for sale or due to discontinuance of his business as a developer on account of suspension or revocation of his registration under the provisions of this Act or the rules or regulations made thereunder.

(6) Every allottee, who has entered into an agreement for sale to take an apartment, plot or building as the case may be, under section 13, shall be responsible to make necessary payments in the manner and within the time as specified in the said agreement for sale and shall pay at the proper time and place, the share of the registration charges, municipal taxes, water and electricity charges, maintenance charges, ground rent, and other charges, if any.

(8) The obligations of the allottee under sub-section (6) and the liability towards interest under sub-section (7) may be reduced when mutually agreed to between the promoter and such allottee.

(9) Every allottee of the apartment, plot or building as the case may be, shall participate towards the formation of an association or society or cooperative society of the allottees, or a federation of the same.

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(10) Every allottee shall take physical possession of the apartment, plot or building as the case may be within a period of two months of the occupancy certificate issued for the said apartment, plot or building, as the case may be.

(11) Every allottee shall participate towards registration of the conveyance deed of the apartment, plot or building, as the case may be, as provided under sub-section (1) of section 17 of this Act.

## CHAPTER V

### **The Real Estate Regulatory Authority**

20. *Establishment of Real Estate Regulatory Authority:*ô (1) The Government shall, within a period of one year from the date of coming into force of this Act, by notification, establish an Authority to be known as the Real Estate Regulatory Authority to exercise the powers conferred on it and to perform the functions assigned to it under this Act :

Provided that, the Government may, if it deems fit, establish more than one Authority in the State :

Provided further that until the establishment of a Regulatory Authority under this section, the Government shall, by order, designate any Regulatory Authority or any officer preferably the Secretary of the department dealing with Housing, as the Regulatory Authority for the purposes of this Act :

Provided also that after the establishment of the Regulatory Authority, all applications, complaints or cases pending with the Regulatory Authority or officer designated, shall stand transferred to the Regulatory Authority so established and shall be heard from the stage such applications, complaints or cases are transferred.

(2) The Authority shall be a body corporate by the name aforesaid having perpetual succession and a common seal, with the power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue or be sued.

21. *Composition of Authority.* The Authority shall consist of a Chairperson and not less than two whole time Members to be appointed by the Government.

Provided that a person who is, or has been, in the service of the Government shall not be appointed as a Chairperson unless such person has held the post of Principal Secretary in the State Government or any equivalent post in the Government :

23. *Term of office of Chairperson and Members.*—(1) The Chairperson and Members shall hold office for a term not exceeding five years from the date on which they enter upon their office, or until they attain the age of sixty-five years, whichever is earlier and shall not be eligible for re-appointment.

(2) Before appointing any person as a Chairperson or Member, the Government shall satisfy itself that the person does not have any such financial or other interest as is likely to affect prejudicially his functions as such Member.

24. *Salary and allowances payable to Chairperson and Members.*—

(1) The salary and allowances payable to, and the other terms and conditions of service of, the Chairperson and other Members shall be such as may be prescribed and shall not be varied to their disadvantage during their tenure.

(2) Notwithstanding anything contained in sub-sections (1) and (2) of section 23, the Chairperson or a Member, as the case may be, may, ô

- (a) relinquish his office by giving in writing, to the Government, notice of not less than three months ; or
- (b) be removed from his office in accordance with the provisions of section 26 of this Act.

(3) Any vacancy caused to the office of the Chairperson or any other Member shall be filled-up within a period of three months from the date on which such vacancy occurs.

25. *Administrative powers of Chairperson.*—The Chairperson shall have powers of general superintendence and directions in the conduct of the affairs of Authority and he shall, in addition to presiding over the meetings of the Authority, exercise and discharge such administrative powers and functions of the Authority as may be prescribed.

26. *Removal of Chairperson and Members from office in certain circumstances.*—(1) The Government may, in accordance with the procedure notified, remove from office the Chairperson or other Members, if the Chairperson or such other Member, as the case may be, ô

- (a) has been adjudged as an insolvent ; or
- (b) has been convicted of an offence, involving moral turpitude ; or
- (c) has become physically or mentally incapable of acting as a Member ; or
- (d) has acquired such financial or other interest as is likely to affect prejudicially his functions ; or

- (e) has so abused his position as to render his continuance in office prejudicial to the public interest like resorting to encroachments by himself or through member(s) of his family.

(2) The Chairperson or Member shall not be removed from his office on the ground specified under clause (d) or clause (e) of sub-section (1) except by an order made by the Government after an inquiry made by a Judge of the High Court in which such Chairperson or Member has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

27. *Restrictions on Chairperson or Members on employment after cessation of office.* (1) The Chairperson or a Member, ceasing to hold office as such, shall not,

- (a) accept any employment in, or connected with, the management or administration of, any person or organization which has been associated with any work under this Act, from the date on which he ceases to hold office :

Provided that nothing contained in this clause shall apply to any employment under the Government or a local authority or in any statutory authority or any corporation established by or under any Central, State or provincial Act or a Government Company, as defined under clause (45) of section 2 of the Companies Act, 2013, which is not a promoter as per the provisions of this Act ;

- (b) act, for or on behalf of any person or organisation in connection with any specific proceeding or transaction or negotiation or a case to which the Authority is a party and with respect to which the Chairperson or such Member had, before cessation of office, acted for or provided advice to, the Authority ;
- (c) give advice to any person using information which was obtained in his capacity as the Chairperson or a Member and being unavailable to or not being able to be made available to the public ;

- (d) enter into a contract of service with, or accept an appointment to a board of directors of, or accept an offer of employment with, an entity with which he had direct and significant official dealings during his term of office as such.

(2) The Chairperson and Members shall not communicate or reveal to any person any matter which has been brought under his consideration or known to him while acting as such.

28. *Officers and other employees of Authority.*ô (1) The Government may, in consultation with the Authority appoint such officers and employees as it considers necessary for the efficient discharge of their functions under this Act who would discharge their functions under the general superintendence of the Chairperson.

(2) The salary and allowances payable to, and the other terms and conditions of service of, the officers and of the employees of the Authority appointed under sub-section (1) shall be such as may be prescribed.

29. *Meetings of Authority.*ô (1) The Authority shall meet at such places and times, and shall follow such rules of procedure in regard to the transaction of business at its meetings, (including quorum at such meetings), as may be specified by the regulations made by the Authority.

(2) If the Chairperson for any reason, is unable to attend a meeting of the Authority, any other Member chosen by the Members present amongst themselves at the meeting, shall preside at the meeting.

(3) All questions which come up before any meeting of the Authority shall be decided by a majority of votes by the Members present and voting, and in the event of an equality of votes, the Chairperson or in his absence, the person presiding shall have a second or casting vote.

(4) The questions which come up before the Authority shall be dealt with as expeditiously as possible and the Authority shall dispose of the same within a period of sixty days from the date of receipt of the application :

Provided that where any such application could not be disposed of within the said period of sixty days, the Authority shall record its reasons in writing for not disposing of the application within that period.



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30. *Vacancies, etc., not to invalidate proceeding of Authority.*ô

No act or proceeding of the Authority shall be invalid merely by reason of

- (a) any vacancy in, or any defect in the constitution of, the Authority ; or
- (b) any defect in the appointment of a person acting as a Member of the Authority. or
- (c) any irregularity in the procedure of the Authority not affecting the merits of the case.

31. *Filing of complaints with the Authority or the adjudicating officer.*— (1) Any aggrieved person may file a complaint with the Authority or the adjudicating officer, as the case may be for any violation or contravention of the provisions of this Act or the rules and regulations made thereunder against any promoter allottee or real estate agent, as the case may be.

*Explanation :—*For the purpose of this sub-section öpersonö shall include the association of allottees or any voluntary consumer association registered under any law for the time being in force.

- (2) The form, manner and fees for filing complaint under sub-section (1) shall be such as may be specified by regulations.

32. *Functions of Authority for promotion of real estate sector.*

The Authority shall in order to facilitate the growth and promotion of a healthy, transparent, efficient and competitive real estate sector make recommendations to the Government of the competent authority, as the case may be, on,

- (a) protection of interest of the allottees, promoter and real estate agent ;

- (b) creation of a single window system for ensuring time bound project approvals and clearances for timely completion of the project ;
- (c) creation of a transparent and robust grievance redressal mechanism against acts of omission and commission of competent authorities and their officials ;
- (d) measures to encourage investment in the real estate sector including measures to increase financial assistance to affordable housing segment ;
- (e) measures to encourage construction of environmentally sustainable and affordable housing, promoting standardization and use of appropriate construction materials, fixtures, fittings and construction techniques ;
- (f) measures to encourage grading of projects on various parameters of development including grading of promoters:
- (g) measures to facilitate amicable conciliation of disputes between the promoters and the allottees through dispute settlement forums set up by the consumer or promoter associations ;
- (h) measures to facilitate digitization of land records and system towards conclusive property titles with title guarantee ;
- (i) to render advice to the Government in matters relating to the development of real estate sector ;
- (j) any other issue that the Authority may think necessary for the promotion of the real estate sector.

33. *Advocacy and awareness measures.*—(1) The Government may, while formulating a policy on real estate sector (including review of laws related to real estate sector) or any other matter, make a reference to the Authority for its opinion on possible effect, of such policy or law on real

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estate sector and on the receipt of such a reference, the Authority shall within a period of sixty days of making such reference, give its opinion to the Government which may thereafter take further action as it deems fit.

(2) The opinion given by the Authority under sub-section (1) shall not be binding upon the Government in formulating such policy or laws.

(3) The Authority shall take suitable measures for the promotion of advocacy, creating awareness and imparting training about laws relating to real estate sector and policies.

34. *Functions of Authority.*—The functions of the Authority shall include,ô

- (a) to register and regulate real estate projects and real estate agents registered under this Act ;
- (b) to publish and maintain a website of records, for public viewing, of all real estate projects for which registration has been given, with such details as may be prescribed, including information provided in the application for which registration has been granted ;
- (c) to maintain a database, on its website, for public viewing, and enter the names and photographs of promoters as defaulters including the project details, registration for which has been revoked or have been penalized under this Act, with reasons therefor, for access to the general public ;
- (d) to maintain a database, on its website, for public viewing, and enter the names and photographs of real estate agents who have applied and registered under this Act, with such details as may be prescribed, including those whose registration has been rejected or revoked ;
- (e) to fix through regulations for each area under its jurisdiction the standard fees to be levied on the allottees or the promoter or the real estate agent, as the case may be ;

- (f) to ensure compliance of the obligations cast upon the promoters, the allottees and the real estate agents under this Act and the rules and regulations made thereunder ;
- (g) to ensure compliance of its regulations or orders or directions made in exercise of its powers under this Act ;
- (h) to perform such other functions as may be entrusted to the Authority by the Government as may be necessary to carry out the provisions of this Act.

35. *Powers of Authority to call for information, conduct investigations* .— (1) Where the Authority considers it expedient to do so, on a complaint or suo mote, relating to this Act or the rules of regulations made thereunder, it may, by order in writing and recording reasons therefor call upon any promoter or allottee or real estate agent, as the case may be, at any time to furnish in writing such information or explanation relating to its affairs as the Authority may require and appoint one or more persons to make an inquiry in relation to the affairs of any promoter or allottee or the real estate agent, as the case may be.

(2) Notwithstanding anything contained in any other law for the time being in force, while exercising the powers under sub-section (1), the Authority shall have the same powers as are vested in a civil court under the Code of Civil Procedure, Samvat 1977 while trying a suit, in respect of the following matters and the proceeding will be deemed judicial proceedings under section 228 of Code of Criminal Procedure Samvat, 1989, namely :ô

- (i) the discovery and production of books of account and other documents, at such place and at such time as may be specified by the Authority ;
- (ii) summoning and enforcing the attendance of persons and examining them on oath ;
- (iii) issuing commissions for the examination of witnesses or documents:

(b) has effect of market power of monopoly situation being abused for affecting interest of allottees adversely, then the Authority, may aro mow, make reference in respect of such issue to the Competition Commission of India.

39. *Rectification of orders.*—The Authority may, at any time within a period of two years from the date of the of order made under this Act, with a view to rectifying any mistake apparent from the record, amend any order passed by it, and shall make such amendment, if the mistake is brought to its notice by the parties:

Provided that no such amendment shall be made in respect of any order against which an appeal has been preferred under this Act:

Provided further that the Authority shall not, while rectifying any mistake apparent from record, amend substantive part of its order passed under the provisions of this Act.

40. *Recovery of interest or penalty or compensation and enforcement of orders, etc.*—(1) If a promoter or an allottee or a real estate agent, as the case may be, fails to pay any interest or penalty or compensation imposed on him, by the adjudicating officer or the Regulatory Authority or the Appellate Authority, as the case may be, under this Act or the rules and regulations made thereunder, it shall be recoverable from such promoter or allottee or real estate agent, in such manner as may be prescribed as an arrears of land revenue.

(2) If any adjudicating officer or the Regulatory Authority or the Appellate Tribunal, as the case may be, issues any order or directs any person to do any act, or refrain from doing any act, which it is empowered to do under this Act or the rules or regulations made thereunder, then in case of failure by any person to comply with such order or direction, the same shall be enforced, in such manner as may be prescribed.

## CHAPTER VI

### State Advisory Council

41. *Establishment of State Advisory Council.*ô (1) The Government may, by notification, establish with effect from such date as it may specify in such notification, a Council to be known as the State Advisory Council.

(2) The Minister incharge, Housing and Urban Development Department shall be the ex-officio Chairperson of the State Advisory Council.

(4) The State Advisory Council shall also consist of not more than Seven members to represent the interests of real estate industry, consumers, real estate agents, construction labourers, non-governmental organizations and academic and research bodies in the real estate sector. However the Council shall also have one female member.

42. *Functions of State Advisory Council.* (1) The functions of the State Advisory Council shall be to advise and recommend functions of the Government,

- (a) on all matters concerning the implementation of this Act ;
- (b) on major questions of policy ;
- (c) towards protection of consumer interest ;
- (d) to foster the growth and development of the real estate sector ;
- (e) on any other matter as may be assigned to it by the Government.

(2) The Government may specify the rules to give effect to the recommendations of the State Advisory Council on matters as provided under sub-section (1).

## The Real Estate Appellate Tribunal

43. *Establishment of Real Estate Appellate Tribunal.*ô (1) The Government shall, within a period of one year from the date of coming

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into force of this Act, by notification, establish an Appellate Tribunal to be known as Jammu and Kashmir State Real Estate Tribunal.

(2) The Government may, if it deems necessary, establish one or more benches of the Appellate Tribunal, for various jurisdictions, in the State.

(3) Every bench of the Appellate Tribunal shall consist of at least one Judicial Member and one Administrative to Technical Member.

(4) Until the establishment of an Appellate Tribunal under this section, the Government shall designate, by order, any Appellate Tribunal functioning under any law for the time being in force, to be the Appellate Tribunal to hear appeals under the Act :

Provided further that after the Appellate Tribunal under this section is established, all matters pending with the Appellate Tribunal designated to hear appeals, shall stand transferred to the Appellate Tribunal so established and shall be heard from the stage such appeal is transferred.

(5) Any person aggrieved by any direction or decision or order made by the Authority or by an adjudicating officer under this Act may prefer an appeal before the Appellate Tribunal having jurisdiction over the matter :

Provided that where a promoter files an appeal with the Appellate Tribunal, it shall not be entertained, without the promoter first having deposited with the Appellate Tribunal at least thirty per cent of the penalty, or such higher percentage as may be determined by the Appellate Tribunal, or the total amount to be paid to the allottee including interest and compensation imposed on him, if any, or with both, as the case may be, before the said appeal is heard.

*Explanation* :—For the purpose of this sub-section ôpersonö shall include the association of allottees or any voluntary consumer association registered under any law for the time being in force.

44. *Application for settlement of disputes and appeals to Appellate Tribunal.*ô (1) The Government or the competent authority or any person



aggrieved by any direction or order or decision of the Authority or the adjudicating officer may prefer an appeal to the Appellate Tribunal.

(2) Every appeal made under sub-section (1) shall be preferred within a period of sixty days from the date on which a copy of the direction or order or decision made by the Authority or the adjudicating officer is received by the Government or the competent authority or the aggrieved person and it shall be in such form and accompanied by such fee, as may be prescribed :

Provided that the Appellate Tribunal may entertain any appeal after the expiry of sixty days if it is satisfied that there was sufficient cause for not filing it within that period.

(3) On receipt of an appeal under sub-section (1), the Appellate Tribunal may after giving the parties an opportunity of being heard, pass such orders, including interim orders, as it thinks fit.

(4) The Appellate Tribunal shall send a copy of every order made by it to the parties and to the Authority or the adjudicating officer, as the case may be.

(5) The appeal preferred under sub-section (1), shall be dealt with by it as expeditiously as possible and endeavour shall be made by it to dispose of the appeal within a period of sixty days from the date of receipt of appeal :

Provided that where any such appeal could not be disposed of within the said period of sixty days, the Appellate Tribunal shall record its reasons in writing for not disposing of the appeal within that period.

(6) The Appellate Tribunal may, for the purpose of examining the legality or propriety or correctness of any order or decision of the Authority or the adjudicating officer, on its own motion or otherwise, call for the records relevant to deposing of such appeal and make such orders as it thinks fit.

45. *Composition of Appellate Tribunal.* The Appellate Tribunal shall consist of a Chairperson and not less than two whole time Members

- (2) The Chairperson of the Appellate Tribunal shall be appointed by the Government in consultation with the Chief Justice of High Court or his nominee.

(3) The Judicial Members and Technical or Administrative Members of the Appellate Tribunal shall be appointed by the Government on the recommendations of a Selection Committee consisting of the Chief Justice of the High Court or his nominee, the Secretary of the Department, Housing and Urban Development Department and the Law Secretary and in such manner as may be prescribed.

Provided that in case a person, who is or has been a Judge of a High Court, has been appointed as Chairperson of the Tribunal, he shall not hold office after he has attained the age of sixty-seven years :

Provided further that no Judicial Member or Technical or Administrative Member shall hold office after he has attained the age of sixty-five years.

(2) Before appointing any person as Chairperson or Member, the Government shall satisfy itself that the person does not have any such financial or other interest, as is likely to affect prejudicially his functions as such member.

48. *Salary and allowances payable to Chairperson and Members.*— (1) The salary and allowances payable to, and the other terms and conditions of service of, the Chairperson and other Members shall be such as may be prescribed and shall not be varied to their disadvantage during their tenure.

(2) Notwithstanding anything contained in sub-sections (1) and (2) of section 47, the Chairperson or a Member, as the case may be, may,ô

- (a) relinquish his office by giving in writing to the Government a notice of not less than three months ;
- (b) be removed from his office in accordance with the provisions of section 49.

(3) A vacancy caused to the office of the Chairperson or any other Member, as the case may be, shall be filled-up within a period of three months from the date on which such vacancy occurs.

49. *Removal of Chairperson and Member from office in certain circumstances* .—(1) The Government may, in consultation with the Chief Justice of the High Court, remove from office of the Chairperson or any judicial Member or Technical or Administrative Member of the Appellate Tribunal, whoô

- (a) has been adjudged as an insolvent ; or
- (b) has been convicted of an offence which, in the opinion of the Government involves moral turpitude ; or
- (c) has become physically or mentally incapable ; or
- (d) has acquired such financial or other interest as is likely to affect prejudicially his functions ; or
- (e) has so abused his position as to render his continuance in office prejudicial to the public interest.

(2) The Chairperson or Judicial Member or Technical or Administrative Member shall not be removed from his office except by an order made by the Government after an inquiry made by the Judge of the High Court in which such Chairperson or Judicial Member or Technical or Administrative Member has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

(3) The Government may suspend from the office of the Chairperson or Judicial Member or Technical or Administrative Member in respect of whom a reference of conducting an inquiry has been made to the Judge of the High Court under sub-section (2), until the Government passes an order on receipt of the report of inquiry made by the Judge of the High Court on such reference.

(4) The Government may, by rules, regulate the procedure for inquiry referred to in sub-section (2).



any matter which has been brought under his consideration or known to him while acting as such.

51. *Officers and other employees of Appellate Tribunal.*— (1) The Government shall provide the Appellate Tribunal with such officers and employees as it may deem fit.

(2) The officers and employees of the Appellate Tribunal shall discharge their functions under the general superintendence of its Chairperson.

(3) The salary and allowances payable to, and the other terms and conditions of service of, the officers and employees of the Appellate Tribunal shall be such as may be prescribed.

52. *Vacancies.*— If, for reason other than temporary absence, any vacancy occurs in the office of the Chairperson or a Member of the Appellate Tribunal, the Government shall appoint another person in accordance with the provisions of this Act to fill the vacancy and the proceedings may be continued before the Appellate Tribunal from the stage at which the vacancy is filled.

53. *Powers of Tribunal.*— (1) The Appellate Tribunal shall not be bound by the procedure laid down in Code of Civil Procedure, Samvat 1977 but shall be guided by the principles of natural justice.

(2) Subject to the provisions of this Act, the Appellate Tribunal shall have power to regulate its own procedure.

(3) The Appellate Tribunal shall also not be bound by the rules of evidence contained in the Evidence Act, 1872.

(4) The Appellate Tribunal shall have, for the purpose of discharging its functions under this Act, the same powers as are vested in a civil court under the Code of Civil Procedure, Samvat 1977 in respect of the following matters, namely:ô

- (a) summoning and enforcing the attendance of any person and examining him on oath ;

- (a) any vacancy in, or any defect in the constitution of, the Appellate Tribunal, or
- (b) any defect in the appointment of a person acting as a Member of the Appellate Tribunal ; or

*Explanation* :—For the purposes of this section,  $\hat{\theta}$

57. *Orders passed by Appellate Tribunal to be executable as a decree.*—(1) Every order made by the Appellate Tribunal under this Act shall be executable by the Appellate Tribunal as a decree of civil court, and for this purpose, the Appellate Tribunal shall have all the powers of a civil court.



60. *Penalty for contravention of section 4.* If any promoter provides false information or contravenes the provisions of section 4, he shall be liable to a penalty which may extend up to five per cent of the estimated cost of the real estate project, as determined by the Authority.

61. *Penalty for contravention of other provisions of this Act.*ô If any promoter contravenes any other provisions of this Act, other than that provided under section 3 or section 4, or the rules or regulations made thereunder, he shall be liable to a penalty which may extend up to five per cent of the estimated cost of the real estate project as determined by the Authority.

62. *Penalty for non-registration and contravention under sections 9 and 10.*ô If any real estate agent fails to comply with or contravenes the provisions of section 9 or section 10, he shall be liable to a penalty of ten thousand rupees for every day during which such default continues, which may cumulatively extend up to five per cent of the cost of plot, apartment or buildings, as the case may be, of the real estate project, for which the sale or purchase has been facilitated as determined by the Authority.

63. *Penalty for failure to comply with orders of Authority by promoter.*ô If any promoter, who fails to comply with, or contravenes any of the orders or directions of the Authority, he shall be liable to a penalty for every day during which such default continues, which may cumulatively extend up to five per cent of the estimated cost of the real estate project as determined by the Authority.

64. *Penalty for failure to comply with orders of Appellate Tribunal by promoter.*ô If any promoter, who fails to comply with, or contravenes any of the orders, decisions or directions of the Appellate Tribunal, he shall be punishable with imprisonment for a term which may extend up to three years or with fine for every day during which such default continues, which may cumulatively extend up to ten per cent of the estimated cost of the real estate project, or with both.

65. *Penalty for failure to comply with order of Authority by real estate agent.*ô If any real estate agent, who fails to comply with, or contravenes any of the orders or directions of the Authority, he shall be liable to a penalty for every day during which such default continues, which may cumulatively extend up to five per cent of the estimated cost of plot, apartment or building, as the case may be, of the real estate project, for which the sale or purchase has been facilitated and as determined by the Authority.

66. *Penalty for failure to comply with orders of Appellate Tribunal by real estate agent.*⁠ If any real estate agent, who fails to comply with, or contravenes any of the orders, decisions or directions of the Appellate Tribunal, he shall be punishable with imprisonment for a term which may extend up to one year or with fine for every day during which such default continues, which may cumulatively extend up to ten per cent of the estimated cost of plot, apartment or building, as the case may be, of the real estate project, for which the sale or purchase has been facilitated, or with both. This amount shall be recovered by the authority as arrears under Land Revenue Act.

67. *Penalty for failure to comply with orders of Authority by allottee.* If any allottee, who fails to comply with, or contravenes any of the orders, decisions or directions of the Authority he shall be liable to a penalty for the period during which such default continues, which may cumulatively extend up to five per cent of the plot, apartment or building cost, as the case may be, as determined by the Authority.

68. *Penalty for failure to comply with orders of Appellate Tribunal by allottee.*—If any allottee, who fails to comply with, or contravenes any of the orders or directions of the Appellate Tribunal, as the case may be, he shall be punishable with imprisonment for a term which may extend up to one year or with fine for every day during which such default continues, which may cumulatively extend up to ten per cent of the plot, apartment or building cost, as the case may be, or with both.

69. *Offences by companies.* (1) Where an offence under this Act has been committed by a company, every person who, at the time, the offence was committed was incharge of, or was responsible to the company for the conduct of, the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this sub-section, shall render any such person liable to any punishment under this Act if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(a) "company" means anybody corporate and includes a firm, or other association of individuals ; and

(b) "director" in relation to a firm, means a partner in the firm.

Provided that the sum prescribed shall not, in any case, exceed the maximum amount of the fine which may be imposed for the offence so compounded.

Provided that any person whose complaint in respect of matters covered under sections 12, 14, 18 and section 19 is pending before the District Consumer Disputes Redressal Forum or the Divisional Consumer Disputes Redressal Forum or the State Consumer Redressal Commission established under the Jammu and Kashmir Consumer Protection Act, 1987,

on or before the commencement of this Act, he may, with the permission of such Forum or Commission, as the case may be, withdraw the complaint pending before it and file an application before the adjudicating officer under this Act.

(2) The application for adjudging compensation under sub-section (1), shall be dealt with by the adjudicating officer as expeditiously as possible and dispose of the same within a period of sixty days from the date of receipt of the application :

Provided that where any such application could not be disposed of within the said period of sixty days, the adjudicating officer shall record his reasons in writing for not disposing of the application within that period.

(3) While holding an inquiry the adjudicating officer shall have power to summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document which in the opinion of the adjudicating officer, may be useful for or relevant to the subject matter of the inquiry and if, on such inquiry, he is satisfied that the person has failed to comply with the provisions of any of the sections specified in sub-section (1), he may direct to pay such compensation or interest, as the case may be, as he thinks fit in accordance with the provisions of any of those sections.

72. *Factors to be taken into account by the adjudicating officer.*ô While adjudging the quantum of compensation or interest, as the case may be, under section 71, the adjudicating officer shall have due regard to the following factors, namely :ô

- (a) the amount of disproportionate gain or unfair advantage, wherever quantifiable, made as a result of the default ;
- (b) the amount of loss caused as a result of the default ;
- (c) the repetitive nature of the default ;
- (d) such other factors which the adjudicating officer considers necessary to the case in furtherance of justice.

(3) The Fund shall be administered by a committee of such Members of the Authority as may be determined by the Chairperson.

(4) The committee appointed under sub-section (3) shall spend monies out of the Fund for carrying out the objects for which the Fund has been constituted.

(2) All sums realized, by way of penalties, imposed by the Appellate Tribunal or the Authority, in the State, shall be credited to such account as the Government may specify.

(2) The accounts of the Authority shall be audited by the Accountant General of the State at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Authority to the Accountant General of the State.

(3) The Accountant General of the State and any person appointed by him in connection with the audit of the accounts of the Authority under this Act shall have the same rights and privileges and authority in connection with such audit as the Accountant General of the State generally has in connection with the audit of Government accounts and, in particular shall have the right to demand and production of books, accounts, connected vouchers and other documents and papers, and to inspect any of the offices of the Authority.

(4) The accounts of the Authority, as certified by the Accountant General of the State or any other person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the Government by the Authority and the Government shall cause the audit report to be laid, as soon as may be after it is received, before each House of the State Legislature.

81. *Delegation.*—The Authority may, by general or special order in writing, delegate to any member, officer of the Authority or any other person subject to such conditions, if any, as may be specified in the order, such of its powers and functions under this Act except the power to make regulations under section 85, as it may deem necessary.



(b) all the powers, functions and duties which may, by or under the provisions of this Act, be exercised or discharged by or on behalf of the Authority shall, until the Authority is reconstituted under sub-section (3), be exercised and discharged by the person or persons referred to in sub-section (1) ; and

- (c) all properties owned or controlled by the Authority shall, until the Authority is reconstituted under sub-section (3), vest in the Government.

(3) On or before the expiration of the period of supersession specified in the notification issued under sub-section (1), the Government shall reconstitute the Authority by a fresh appointment of its Chairperson and other members and in such case any person who had vacated his office under clause (a) of sub-section (2) shall not be deemed to be disqualified for re-appointment.

(4) The Government shall cause a copy of the notification issued under sub-section (1) and a full report of any action taken under this section and the circumstances leading to such action to be laid before each House of State Legislature.

83. *Powers of Government to issue directions to Authority and obtain reports and returns.*ô (1) Without prejudice to the foregoing provisions of this Act, the Authority shall, in exercise of its powers and in performance of its functions under this Act, be bound by such directions on questions of policy, as the Government may give in writing to it from time to time :

Provided that the Authority shall, as far as practicable, be given an opportunity to express its views before any direction is given under this sub-section.

(2) If any dispute arises between the Government and the Authority as to whether a question is or is not a question of policy, the decision of the Government thereon shall be final.

(3) The Authority shall furnish to the Government such returns or other information with respect to its activities as the Government may, from time to time, require.

84. *Power of Government to make rules.*ô (1) The Government shall, have the powers to make rules for carrying out the provisions of this Act.

- (a) information and documents for application to Authority for registration under clause (m) of sub-section (2) of section 4 ;
- (b) the form and manner of making application and fee and documents to be accompanied with such application as under sub-section (2) of section 9 ;
- (c) the period, manner and conditions under which the registration is to be granted under sub-section (3) of section 9 ;
- (d) the validity of the period of registration and the manner and fee for renewal under sub-section (6) of section 9 ;
- (e) the maintenance and preservation of books of account, records and documents under clause (b) of section 10 ;
- (f) the discharge of other functions by the real estate agent under clause (e) of section 10 ;
- (g) the rate of interest payable under section 12 ;
- (h) the form and particulars of agreement for sale under sub-section (2) of section 13 ;
- (i) the rate of interest payable under clause (b) of sub-section (1 ) of section 18 ;
- (j) the rate of interest payable under sub-section (4) of section 19 ;
- (k) the rate of interest payable under sub-section (7) of section 19 ;



85. *Power to make regulations.* (1) The Authority shall, within a period of three months of its establishment, by notification, make regulations, consistent with this Act and the rules made thereunder to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power such regulations may provide for all or any of the following matters, namely :ô

- (a) the form and manner of making application and fee payable herewith under sub-section (1) of section 4 ;
- (b) the form of application and the fees for extension of registration under section 6 ;
- (c) such other information and documents required under clause (f) of sub-section (1) of section 11 ;
- (d) display of sanctioned plans, layout plans along with specifications, approved by the competent authority, for display under clause (a) of sub-section (3) of section 11 ;
- (e) preparation and maintenance of other details under sub-section (6) of section 11 ;
- (f) time, places and the procedure in regard to transaction of business at the meetings of the Authority under sub-section (1) of section 29 ;
- (g) the form, manner and fees for filing a complaint under sub-section (2) of section 31 ;
- (h) standard fees to be levied on the promoter, the allottees or the real estate agent under clause (e) of section 34 ;
- (i) any other matter which is required to be, or may be, specified by regulation or in respect of which provision is to be made by regulations.

86. *Laying of rules.*ô (1) Every rule made by the Government, every regulation made by the Authority, without State Legislature and every notification issued by the Government under this Act shall be laid, as soon as may be after it is made, before each House of State Legislature, while it is in session, for a total period of thirty days which may be comprised in

one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule of regulation or in the notification, as the case may be, or both Houses agree that the rule or regulation or the notification should not be made, the rule or regulation or notification, as the case may be, shall thereafter have effect only in such modified form or be of no effect, as the case may be ; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation or notification, as the case may be.

(2) Every rule made by the Government, every regulation made by the Authority under the Government, and every notification issued by the Government under this Act, shall be laid as soon as may be, after it is made, before the State Legislature.

87. *Members, etc., to be public servants.*ô The Chairperson, Members and other officers and employees of the Authority, and the Appellate Tribunal and the adjudicating officer shall be deemed to be public servants within the meaning of section 21 of the Ranbir Penal Code, Samvat 1989.

88. *Application of other laws not barred.* The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force.

89. *Laws relating to transfer of immovable property to have overriding effect.* Notwithstanding anything contained in this Act, no immovable property shall be transferred to a person who is not a permanent resident of the State and laws relating to transfer of immovable property shall have overriding effect over the provisions of this Act.

90. *Protection of action taken in good faith.* No suit, prosecution or other legal proceedings shall lie against the Government or the Authority or any officer of the Government or any member, officer or other employees of the Authority for anything which is in good faith done or intended to be done under this Act or the rules or regulations made thereunder.

91. *Power to remove difficulties.*— (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, published

in the Government Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty :

Provided that no order shall be made under this section after the expiry of two years from the date of the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before both House of State Legislature.

Governor.

(Sd.) ASHISH GUPTA.

Deputy Legal Remembrancer,  
Department of Law, Justice and Parliamentary Affairs.





**THE  
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

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Vol. 131] Jammu, Sat., the 15th Dec., 2018/24th Agra., 1940. [No. 37-15

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Separate paging is given to this part in order that it may be  
filed as a separate compilation.

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**PART III**

**Laws, Regulations and Rules passed thereunder.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND  
PARLIAMENTARY AFFAIRS  
(Legislation Section)

Jammu, the 15th December, 2018.

The following Act has been assented to by the Governor on  
15th December, 2018 and is hereby published for general information :—

**THE JAMMU AND KASHMIR APPROPRIATION  
(NO. 2) ACT, 2018.**

(Governor's Act No. LV of 2018)

[15th December, 2018]

An Act further to authorize payment and appropriation of certain  
sums from and out of the Consolidated Fund of the Jammu and Kashmir  
State for the Services of the Financial Year 2019-2020.

Be it enacted by the Governor of Jammu and Kashmir State in the Sixty-Ninth year of the Republic of India.

In exercise of the powers vested under Proclamation No. P-1/18 dated 20th June, 2018, the Governor is pleased to enact as follows :—

1. *Short title.*—This Act may be called the Jammu and Kashmir Appropriation (No. 2) Act, 2018.

2. *Issue of ₹10279370.01 Lakh out of the Consolidated Fund of the Jammu and Kashmir State of the Financial Year 2019-2020.*— From and out of the Consolidated Fund of the Jammu and Kashmir State, there may be withdrawn sums not exceeding those specified in Column 5 of the Schedule hereto amounting in the aggregate to the sum of ₹10279370.01 Lakh ONE CRORE(s) TWO LAKH(s) SEVENTY-NINE THOUSAND THREE HUNDRED SEVENTY LAKHS AND ONE THOUSAND ONLY) towards defraying the several charges which will come in course of payment during the Financial Year 2019-2020 in respect of the services specified in Column 2 of the said Schedule.

3. *Appropriation.*—The sums authorized to be withdrawn from and out of the Consolidated Fund of the Jammu and Kashmir State by the Act, shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

4. The following reform measures shall be enforced from the ensuing Financial Year, 2019-2020 :—

- (i) Finance Department shall release both Revenue and Capital budget to all the administrative departments within one month of the passage of the Appropriation Act.
- (ii) The Administrative departments shall, in turn, ensure to release the funds so received to the subordinate offices within four weeks of their receipt, failing which these funds shall be deemed to have been transferred to the intended DDOs on the dates they ought to have been released by the administrative departments/Controlling Officers.

- (iii) The Finance Department shall ensure that all capital allocations to be made in the next fiscal bear proper classifications, indicating therein the “Name of the Work/ Scheme” against Detailed head-‘115-Works’ as laid out in the authorized allocations. In the absence of the above schematic classification, the relevant Capex release shall be deemed as invalid and not open to being operationalised.
- (iv) There shall be no payments made by any Treasury/PAO from the first of April, 2019, under any expenditure head, if the releases for the same have not been made and further received by the spending and bill passing Officers via BEAMS. Treasury Officers/PAOs shall be personally liable for making payments on the funds released and received bypassing the BEAMS applications.
- (v) The Finance Department shall mandatorily upload department-wise “Name of the Schemes/Works/Projects”, forming part of the Capex, for the fiscal 2019-2020, or, as per the format notified from time to time along with the respective allocations on its website.
- (vi) Only such works shall be authorized for execution, as have prior administrative approval, technical sanction and appropriate financial back up.
- (vii) Expenditure monitoring across all departments shall be done on a real time basis through BEAMS.
- (viii) The procurement plans of the departments in the next fiscal shall be limited by an outermost cap of 60 days. From conceiving the nature and quantity of public goods and services to be procured to preparing tenders/RFQs/EOIs to finally awarding the contract, the departments shall compulsorily finish the whole process within 60 days. Any spill over in timeline shall be allowed only under the orders of the Cabinet based on some cogent reasons. In all other cases, deviation from the norms shall be automatically visited with the appropriate disciplinary actions.

- (ix) Funds shall be spent only on the approved items of the expenditure and strictly for the purpose they have been released. There shall be no re-appropriation of funds except where the departments have spent at least 55 percent of funds received ending December, 2018. However, where their spending levels are below 55 per cent, the remaining funds shall lapse to the Government.
  - (x) Expenditure during the last quarter shall be restricted to not more than 30 per cent of the Revised Estimates. Treasury Officers/PAOs shall have an added responsibility to ensure that the departments are held to the above expenditure ceiling.
  - (xi) The State Share of the CSSs and the expenditure to be incurred on utility shifting, land compensation etc. under PMDP projects shall be the first charge on the Funds lapsing to the Government during the last quarter.
  - (xii) The ban on engagement of casual workers, need based workers etc. shall continue to be in the force. The Finance Department shall invariably, condition all development/Capex releases to the departments to the unconditional vouchsafing by the latter that they shall refrain from making fresh engagements.
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**THE SCHEDULE***(See sections 2&3)*

| Name of Demand                               | Service and purpose                                                               | Sum not exceeding<br>(in ₹ lakh) |                                           |          |
|----------------------------------------------|-----------------------------------------------------------------------------------|----------------------------------|-------------------------------------------|----------|
|                                              |                                                                                   | Voted                            | Charged on<br>the<br>Consolidated<br>Fund | Total    |
| 1                                            | 2                                                                                 | 3                                | 4                                         | 5        |
| <b>01. General Administration Department</b> |                                                                                   |                                  |                                           |          |
| <b>I-REVENUE ACCOUNT</b>                     |                                                                                   |                                  |                                           |          |
|                                              | 2012-President, Vice-president/<br>Governor/Administrator<br>of Union Territories | 0.00                             | 1204.50                                   | 1204.50  |
|                                              | 2015-Elections                                                                    | 33.12                            | 0.00                                      | 33.12    |
|                                              | 2051-Public Service Commission                                                    | 0.00                             | 1045.90                                   | 1045.90  |
|                                              | 2052-Secretariat-General<br>Services                                              | 14478.02                         | 0.00                                      | 14478.02 |
|                                              | 2055-Police                                                                       | 2800.00                          | 0.00                                      | 2800.00  |
|                                              | 2062-Vigilance                                                                    | 4261.89                          | 0.00                                      | 4261.89  |
|                                              | 2070-Other Administrative<br>Services                                             | 2827.30                          | 0.00                                      | 2827.30  |
|                                              | 2251-Secretariat-Social<br>Services                                               | 4774.21                          | 0.00                                      | 4774.21  |

| 1                          | 2                                                     | 3               | 4              | 5               |
|----------------------------|-------------------------------------------------------|-----------------|----------------|-----------------|
|                            | 3435-Ecology And Environment                          | 207.48          | 0.00           | 207.48          |
|                            | 3451-Secretariat Economic Services                    | 8839.64         | 0.00           | 8839.64         |
|                            | 3452-Tourism                                          | 1409.46         | 0.00           | 1409.46         |
|                            | <b>Total I–Revenue Account</b>                        | <b>39631.12</b> | <b>2250.40</b> | <b>41881.52</b> |
|                            | <b>II–CAPITAL ACCOUNT</b>                             |                 |                |                 |
|                            | 4059-Capital Outlay On Public Works                   | 15.00           | 0.00           | 15.00           |
|                            | 4070-Capital Outlay On Other Administrative Services  | 265.00          | 0.00           | 265.00          |
|                            | 4075-Capital Outlay On Miscellaneous General Services | 880.00          | 0.00           | 880.00          |
|                            | 5452-Capital Outlay On Tourism                        | 3500.00         | 0.00           | 3500.00         |
|                            | <b>Total II. Capital Account</b>                      | <b>4660.00</b>  | <b>0.00</b>    | <b>4660.00</b>  |
|                            | <b>Total Demand No. 01</b>                            | <b>44291.12</b> | <b>2250.40</b> | <b>46541.52</b> |
| <b>02. Home Department</b> |                                                       |                 |                |                 |
|                            | <b>I-REVENUE ACCOUNT</b>                              |                 |                |                 |
|                            | 2055-Police                                           | 614100.75       | 0.00           | 614100.75       |
|                            | 2056-Jails                                            | 9427.14         | 0.00           | 9427.14         |

| 1                                                    | 2                | 3           | 4                | 5 |
|------------------------------------------------------|------------------|-------------|------------------|---|
| 2070-Other Administrative Services                   | 32418.63         | 0.00        | 32418.63         |   |
| 2235-Social Security & Welfare                       | 2199.60          | 0.00        | 2199.60          |   |
| <b>Total I. Revenue Account</b>                      | <b>658146.12</b> | <b>0.00</b> | <b>658146.12</b> |   |
| <b>II-CAPITAL ACCOUNT</b>                            |                  |             |                  |   |
| 4055-Capital Outlay On Police                        | 76500.00         | 0.00        | 76500.00         |   |
| 4059-Capital Outlay On Public Works                  | 44774.00         | 0.00        | 44774.00         |   |
| 4070-Capital Outlay On Other Administrative Services | 375.00           | 0.00        | 375.00           |   |
| <b>Total II. Capital Account</b>                     | <b>121649.00</b> | <b>0.00</b> | <b>21649.00</b>  |   |
| <b>Total Demand No. 02</b>                           | <b>779795.12</b> | <b>0.00</b> | <b>779795.12</b> |   |
| <b>03. Planning Department</b>                       |                  |             |                  |   |
| <b>I-REVENUE ACCOUNT</b>                             |                  |             |                  |   |
| 3454-Census Surveys And Statistics                   | 9361.16          | 0.00        | 9361.16          |   |
| <b>Total I. Revenue Account</b>                      | <b>9361.16</b>   | <b>0.00</b> | <b>9361.16</b>   |   |
| <b>II-CAPITAL ACCOUNT</b>                            |                  |             |                  |   |
| 4059-Capital Outlay On Public Works                  | 1331.98          | 0.00        | 1331.98          |   |
| 4235-Capital Outlay On Social Security And Welfare   | 18348.00         | 0.00        | 18348.00         |   |

| 1                                                            | 2                | 3           | 4                | 5 |
|--------------------------------------------------------------|------------------|-------------|------------------|---|
| 5475-Capital Outlay On Other<br>General Economic<br>Services | 269375.66        | 0.00        | 269375.66        |   |
| <b>Total II. Capital Account</b>                             | <b>289055.64</b> | <b>0.00</b> | <b>289055.64</b> |   |
| <b>Total Demand No. 03</b>                                   | <b>298416.80</b> | <b>0.00</b> | <b>298416.80</b> |   |

**04. Information Department****I-REVENUE ACCOUNT**

|                                 |                |             |                |  |
|---------------------------------|----------------|-------------|----------------|--|
| 2220-Information And Publicity  | 7951.45        | 0.00        | 7951.45        |  |
| <b>Total I. Revenue Account</b> | <b>7951.45</b> | <b>0.00</b> | <b>7951.45</b> |  |

**II-CAPITAL ACCOUNT**

|                                                     |                |             |                |  |
|-----------------------------------------------------|----------------|-------------|----------------|--|
| 4220-Capital Outlay On Information<br>And Publicity | 115.29         | 0.00        | 115.29         |  |
| <b>Total II. Capital Account</b>                    | <b>115.29</b>  | <b>0.00</b> | <b>115.29</b>  |  |
| <b>Total Demand No. 04</b>                          | <b>8066.74</b> | <b>0.00</b> | <b>8066.74</b> |  |

**05. Ladakh Affairs Department****I. REVENUE ACCOUNT**

|                                        |                 |             |                 |  |
|----------------------------------------|-----------------|-------------|-----------------|--|
| 2575-Other Special Areas<br>Programmes | 80307.01        | 0.00        | 80307.01        |  |
| <b>Total I. Revenue Account</b>        | <b>80307.01</b> | <b>0.00</b> | <b>80307.01</b> |  |



| 1                                           | 2                                                           | 3                 | 4           | 5                 |
|---------------------------------------------|-------------------------------------------------------------|-------------------|-------------|-------------------|
| <b>II. CAPITAL ACCOUNT</b>                  |                                                             |                   |             |                   |
|                                             | 4575-Capital Outlay On<br>Other Special Areas<br>Programmes | 35207.34          | 0.00        | 35207.34          |
|                                             | <b>Total II. Capital Account</b>                            | <b>35207.34</b>   | <b>0.00</b> | <b>35207.34</b>   |
|                                             | <b>Total Demand No. 05</b>                                  | <b>115514.35</b>  | <b>0.00</b> | <b>115514.35</b>  |
| <b>06. Power Development<br/>Department</b> |                                                             |                   |             |                   |
| <b>I.-REVENUE ACCOUNT</b>                   |                                                             |                   |             |                   |
|                                             | 2801-Power                                                  | 878546.80         | 0.00        | 878546.80         |
|                                             | <b>Total I. Revenue Account</b>                             | <b>878546.80</b>  | <b>0.00</b> | <b>878546.80</b>  |
| <b>II. CAPITAL ACCOUNT</b>                  |                                                             |                   |             |                   |
|                                             | 4801-Capital Outlay On<br>Power Projects                    | 389080.43         | 0.00        | 389080.43         |
|                                             | <b>Total II. Capital Account</b>                            | <b>389080.43</b>  | <b>0.00</b> | <b>389080.43</b>  |
|                                             | <b>Total Demand No. 06</b>                                  | <b>1267627.23</b> | <b>0.00</b> | <b>1267627.23</b> |
| <b>07. Education Department</b>             |                                                             |                   |             |                   |
| <b>I. REVENUE ACCOUNT</b>                   |                                                             |                   |             |                   |
|                                             | 2202-General Education                                      | 966568.15         | 0.00        | 966568.15         |
|                                             | 2204-Sports And Youth Services                              | 1208.00           | 0.00        | 1208.00           |
|                                             | <b>Total I. Revenue Account</b>                             | <b>967776.15</b>  | <b>0.00</b> | <b>967776.15</b>  |

| 1                                                               | 2                 | 3           | 4                 | 5 |
|-----------------------------------------------------------------|-------------------|-------------|-------------------|---|
| <b>II. Capital Account</b>                                      |                   |             |                   |   |
| 4202-Capital Outlay On<br>Education, Sports, Art And<br>Culture | 112801.12         | 0.00        | 112801.12         |   |
| <b>Total II. Capital Account</b>                                | <b>112801.12</b>  | <b>0.00</b> | <b>112801.12</b>  |   |
| <b>Total Demand No. 07</b>                                      | <b>1080577.27</b> | <b>0.00</b> | <b>1080577.27</b> |   |

**08. Finance Department**

**I. REVENUE ACCOUNT**

|                                                                  |          |           |           |  |
|------------------------------------------------------------------|----------|-----------|-----------|--|
| 2030-Stamps And Registration                                     | 1960.75  | 0.00      | 1960.75   |  |
| 2039-State Excise                                                | 4172.25  | 0.00      | 4172.25   |  |
| 2040-Taxes On Sales, Trade Etc.                                  | 1919.20  | 0.00      | 1919.20   |  |
| 2043-Collection Charges under<br>State Goods and Services<br>Tax | 19032.32 | 0.00      | 19032.32  |  |
| 2045-Other Taxes And Duties On<br>Commodities And Services       | 60.00    | 0.00      | 60.00     |  |
| 2047-Other Fiscal Services                                       | 1733.50  | 0.00      | 1733.50   |  |
| 2048-Appropriation For Reduction<br>or Avoidance Of Debt         | 3926.76  | 0.00      | 3926.76   |  |
| 2049-Interest Payments                                           | 0.00     | 694112.00 | 694112.00 |  |
| 2054-Treasury And Accounts<br>Administration                     | 74057.95 | 0.00      | 74057.95  |  |

| 1                                                              | 2                 | 3                 | 4                 | 5          |
|----------------------------------------------------------------|-------------------|-------------------|-------------------|------------|
| 2071-Pensions And Other Retirement Benefits                    | 637985.58         |                   | 0.00              | 637985.58  |
| 2075-Miscellaneous General Services                            | 116.50            |                   | 0.00              | 116.50     |
| 2235-Social Security & Welfare                                 | 2500.00           |                   | 0.00              | 2500.00    |
| <b>Total I. Revenue Account</b>                                | <b>747464.81</b>  | <b>694112.00</b>  | <b>1441576.81</b> |            |
| <b>II. CAPITAL ACCOUNT</b>                                     |                   |                   |                   |            |
| 4059-Capital Outlay On Public Works                            | 2958.33           |                   | 0.00              | 2958.33    |
| 5465-Investments In General Financial And Trading Institutions | 205600.00         |                   | 0.00              | 205600.00  |
| 5475-Capital Outlay On Other General Economic Services         | 51000.00          |                   | 0.00              | 51000.00   |
| 6003-Internal Debt Of The State Government                     | 0.00              | 1723803.00        |                   | 1723803.00 |
| 6004-Loans And Advances From The Central Government            | 0.00              | 11765.00          |                   | 11765.00   |
| 6235-Loans For Social Security And Welfare                     | 500.00            |                   | 0.00              | 500.00     |
| 6885-Other Loans To Industries And Minerals                    | 1490.00           |                   | 0.00              | 1490.00    |
| <b>Total II. Capital Account</b>                               | <b>261548.33</b>  | <b>1735568.00</b> | <b>1997116.33</b> |            |
| <b>Total Demand No. 08</b>                                     | <b>1009013.14</b> | <b>2429680.00</b> | <b>3438693.14</b> |            |

| 1                                           | 2               | 3              | 4               | 5 |
|---------------------------------------------|-----------------|----------------|-----------------|---|
| <b>09. Parliamentary Affairs Department</b> |                 |                |                 |   |
| <b>I. REVENUE ACCOUNT</b>                   |                 |                |                 |   |
| 2011-State Legislatures                     | 5746.02         | 146.20         | 5892.22         |   |
| <b>Total I. Revenue Account</b>             | <b>5746.02</b>  | <b>146.20</b>  | <b>5892.22</b>  |   |
| <b>II. CAPITAL ACCOUNT</b>                  |                 |                |                 |   |
| 7610-Loans To Government Servants Etc.      | 150.00          | 0.00           | 150.00          |   |
| <b>Total II. Capital Account</b>            | <b>150.00</b>   | <b>0.00</b>    | <b>150.00</b>   |   |
| <b>Total Demand No. 09</b>                  | <b>5896.02</b>  | <b>146.20</b>  | <b>6042.22</b>  |   |
| <b>10. Law Department</b>                   |                 |                |                 |   |
| <b>I. REVENUE ACCOUNT</b>                   |                 |                |                 |   |
| 2014-Administration Of Justice              | 24043.60        | 4692.00        | 28735.60        |   |
| 2015-Elections                              | 19452.27        | 0.00           | 19452.27        |   |
| 2030-Stamps Registration                    | 114.30          | 0.00           | 114.30          |   |
| 2041-Taxes On Vehicles                      | 78.60           | 0.00           | 78.60           |   |
| 2070-Other Administrative Services          | 598.41          | 0.00           | 598.41          |   |
| 2230-Labour & Employment                    | 94.87           | 0.00           | 94.87           |   |
| <b>Total I. Revenue Account</b>             | <b>44382.05</b> | <b>4692.00</b> | <b>49074.05</b> |   |

| 1                                   | 2               | 3              | 4               | 5 |
|-------------------------------------|-----------------|----------------|-----------------|---|
| <b>II. CAPITAL ACCOUNT</b>          |                 |                |                 |   |
| 4059-Capital Outlay<br>Public Works | 8813.65         | 0.00           | 8813.65         |   |
| <b>Total II. Capital Account</b>    | <b>8813.65</b>  | <b>0.00</b>    | <b>8813.65</b>  |   |
| <b>Total Demand No. 10</b>          | <b>53195.70</b> | <b>4692.00</b> | <b>57887.70</b> |   |

#### 11. Industry and Commerce Department

##### I. REVENUE ACCOUNT

|                                                         |                 |             |                 |  |
|---------------------------------------------------------|-----------------|-------------|-----------------|--|
| 2851-Village And Small<br>Industries                    | 30461.30        | 0.00        | 30461.30        |  |
| 2853-Non-Ferrous Mining And<br>Metallurgical Industries | 6314.96         | 0.00        | 6314.96         |  |
| <b>Total I. Revenue Account</b>                         | <b>36776.26</b> | <b>0.00</b> | <b>36776.26</b> |  |

##### II. CAPITAL ACCOUNT

|                                                                               |          |      |          |  |
|-------------------------------------------------------------------------------|----------|------|----------|--|
| 4851-Capital Outlay On Village<br>And Small Industries                        | 22212.28 | 0.00 | 22212.28 |  |
| 4852-Capital Outlay On Iron<br>And Steel Industries                           | 707.00   | 0.00 | 707.00   |  |
| 4853-Capital Outlay On Non-<br>ferrous Mining and<br>Metallurgical Industries | 246.00   | 0.00 | 246.00   |  |

| 1 | 2                                              | 3               | 4           | 5               |
|---|------------------------------------------------|-----------------|-------------|-----------------|
|   | 6885-Other Loans To Industries<br>and Minerals | 3500.00         | 0.00        | 3500.00         |
|   | <b>Total II. Capital Account</b>               | <b>26665.28</b> | <b>0.00</b> | <b>26665.28</b> |
|   | <b>Total Demand No. 11</b>                     | <b>63441.54</b> | <b>0.00</b> | <b>63441.54</b> |

## 12. Agriculture Department

### I. REVENUE ACCOUNT

|                                             |                  |             |                  |
|---------------------------------------------|------------------|-------------|------------------|
| 2029-Land Revenue                           | 344.59           | 0.00        | 344.59           |
| 2250-Other Social Services                  | 209.45           | 0.00        | 209.45           |
| 2401-Crop Husbandry                         | 55777.55         | 0.00        | 55777.55         |
| 2402-Soil And Water<br>Conservation         | 3275.25          | 0.00        | 3275.25          |
| 2403-Animal Husbandry                       | 659.67           | 0.00        | 659.67           |
| 2406-Forestry And Wild Life                 | 9069.82          | 0.00        | 9069.82          |
| 2415-Agricultural Research<br>And Education | 65297.89         | 0.00        | 65297.89         |
| 2435-Other Agricultural<br>Programme        | 1236.79          | 0.00        | 1236.79          |
| 2705-Command Area<br>Development            | 4318.36          | 0.00        | 4318.36          |
| 2851-Village And Small Industries           | 12954.46         | 0.00        | 12954.46         |
| <b>Total I. Revenue Account</b>             | <b>153143.83</b> | <b>0.00</b> | <b>153143.83</b> |

| 1                                                          | 2                | 3           | 4                | 5 |
|------------------------------------------------------------|------------------|-------------|------------------|---|
| <b>II. CAPITAL ACCOUNT</b>                                 |                  |             |                  |   |
| 4401-Capital Outlay On Crop Husbandry                      | 79943.50         | 0.00        | 79943.50         |   |
| 4406-Capital Outlay On Forestry And Wild Life              | 2744.50          | 0.00        | 2744.50          |   |
| 4415-Capital Outlay On Agricultural Research And Education | 2497.76          | 0.00        | 2497.76          |   |
| 4705-Capital Outlay On Command Area Development            | 400.00           | 0.00        | 400.00           |   |
| 4851-Capital Outlay On Village And Small Industries        | 2107.29          | 0.00        | 2107.29          |   |
| <b>Total II. Capital Account</b>                           | <b>87693.05</b>  | <b>0.00</b> | <b>87693.05</b>  |   |
| <b>Total Demand No. 12</b>                                 | <b>240836.88</b> | <b>0.00</b> | <b>240836.88</b> |   |

**13. Animal Husbandry Department****I. REVENUE ACCOUNT**

|                                 |                 |             |                 |  |
|---------------------------------|-----------------|-------------|-----------------|--|
| 2403-Animal Husbandry           | 62359.36        | 0.00        | 62359.36        |  |
| <b>Total I. Revenue Account</b> | <b>62359.36</b> | <b>0.00</b> | <b>62359.36</b> |  |

**II. CAPITAL ACCOUNT**

|                                         |          |      |          |  |
|-----------------------------------------|----------|------|----------|--|
| 4403-Capital Outlay On Animal Husbandry | 11332.55 | 0.00 | 11332.55 |  |
|-----------------------------------------|----------|------|----------|--|

| 1                                        | 2               | 3           | 4               | 5 |
|------------------------------------------|-----------------|-------------|-----------------|---|
| 4404-Capital Outlay On Dairy Development | 30.00           | 0.00        | 30.00           |   |
| <b>Total II. Capital Account</b>         | <b>11362.55</b> | <b>0.00</b> | <b>11362.55</b> |   |
| <b>Total Demand No. 13</b>               | <b>73721.91</b> | <b>0.00</b> | <b>73721.91</b> |   |

#### 14. Revenue Department

##### I. REVENUE ACCOUNT

|                                    |                 |             |                 |  |
|------------------------------------|-----------------|-------------|-----------------|--|
| 2053-District Administration       | 63480.35        | 0.00        | 63480.35        |  |
| 2070-Other Administrative Services | 112.06          | 0.00        | 112.06          |  |
| 2235-Social Security & Welfare     | 70.00           | 0.00        | 70.00           |  |
| 2250-Other Social Services         | 143.30          | 0.00        | 143.30          |  |
| <b>Total I. Revenue Account</b>    | <b>63805.71</b> | <b>0.00</b> | <b>63805.71</b> |  |

##### II. CAPITAL ACCOUNT

|                                     |                 |             |                 |  |
|-------------------------------------|-----------------|-------------|-----------------|--|
| 4059-Capital Outlay On Public Works | 1262.50         | 0.00        | 1262.50         |  |
| <b>Total II. Capital Account</b>    | <b>1262.50</b>  | <b>0.00</b> | <b>1262.50</b>  |  |
| <b>Total Demand No. 14</b>          | <b>65068.21</b> | <b>0.00</b> | <b>65068.21</b> |  |

#### 15. Food Civil Supplies and Consumer Affairs Deptt.

##### I. REVENUE ACCOUNT

|                                      |                 |             |                 |  |
|--------------------------------------|-----------------|-------------|-----------------|--|
| 2408-Food, Storage And Warehousing   | 19077.12        | 0.00        | 19077.12        |  |
| 3475-Other General Economic Services | 1154.61         | 0.00        | 1154.61         |  |
| <b>Total I. Revenue Account</b>      | <b>20231.73</b> | <b>0.00</b> | <b>20231.73</b> |  |



| 1                                                         | 2               | 3           | 4               | 5 |
|-----------------------------------------------------------|-----------------|-------------|-----------------|---|
| <b>II. CAPITAL ACCOUNT</b>                                |                 |             |                 |   |
| 4408-Capital Outlay On Food<br>Storage And Warehousing    | 30807.00        | 0.00        | 30807.00        |   |
| 5475-Capital Outlay On Other<br>General Economic Services | 65.00           | 0.00        | 65.00           |   |
| <b>Total II. Capital Account</b>                          | <b>30872.00</b> | <b>0.00</b> | <b>30872.00</b> |   |
| <b>Total Demand No. 15</b>                                | <b>51103.73</b> | <b>0.00</b> | <b>51103.73</b> |   |

**16. Public Works Department****I. REVENUE ACCOUNT**

|                                 |                 |             |                 |
|---------------------------------|-----------------|-------------|-----------------|
| 2059-Public Works               | 73294.85        | 0.00        | 73294.85        |
| 2216-Housing                    | 1000.00         | 0.00        | 1000.00         |
| 3054-Roads And Bridges          | 11901.84        | 0.00        | 11901.84        |
| <b>Total I. Revenue Account</b> | <b>86196.69</b> | <b>0.00</b> | <b>86196.69</b> |

**II. CAPITAL ACCOUNT**

|                                             |                  |             |                  |
|---------------------------------------------|------------------|-------------|------------------|
| 4059-Capital Outlay On Public<br>Works      | 124258.62        | 0.00        | 124258.62        |
| 5054-Capital Outlay On Roads<br>And Bridges | 111174.30        | 0.00        | 111174.30        |
| <b>Total II. Capital Account</b>            | <b>235432.92</b> | <b>0.00</b> | <b>235432.92</b> |
| <b>Total Demand No. 16</b>                  | <b>321629.61</b> | <b>0.00</b> | <b>321629.61</b> |

| 1                                                                                   | 2                | 3           | 4                | 5 |
|-------------------------------------------------------------------------------------|------------------|-------------|------------------|---|
| <b>17. Health &amp; Medical<br/>Education Department</b>                            |                  |             |                  |   |
| <b>I. REVENUE ACCOUNT</b>                                                           |                  |             |                  |   |
| 2210-Medical And Public<br>Health                                                   | 360949.63        | 0.00        | 360949.63        |   |
| 2211-Family Welfare                                                                 | 10339.86         | 0.00        | 10339.86         |   |
| <b>Total I. Revenue Account</b>                                                     | <b>371289.49</b> | <b>0.00</b> | <b>371289.49</b> |   |
| <b>II. CAPITAL ACCOUNT</b>                                                          |                  |             |                  |   |
| 4210-Capital Outlay On Medical<br>And Public Health                                 | 73525.79         | 0.00        | 73525.79         |   |
| <b>Total II. Capital Account</b>                                                    | <b>73525.79</b>  | <b>0.00</b> | <b>73525.79</b>  |   |
| <b>Total Demand No. 17</b>                                                          | <b>444815.28</b> | <b>0.00</b> | <b>444815.28</b> |   |
| <b>18. Social Welfare<br/>Department</b>                                            |                  |             |                  |   |
| <b>I. REVENUE ACCOUNT</b>                                                           |                  |             |                  |   |
| 2055-Police                                                                         | 294.76           | 0.00        | 294.76           |   |
| 2070-Other Administrative Services                                                  | 382.72           | 0.00        | 382.72           |   |
| 2071-Pensions And Other<br>Retirement Benefits                                      | 14.42            | 0.00        | 14.42            |   |
| 2225-Welfare Of Scheduled Castes,<br>Scheduled Tribes And Other<br>Backward Classes | 5163.23          | 0.00        | 5163.23          |   |

| 1 | 2                                                                                                        | 3                | 4           | 5                |
|---|----------------------------------------------------------------------------------------------------------|------------------|-------------|------------------|
|   | 2235-Social Security & Welfare                                                                           | 78829.87         | 0.00        | 78829.87         |
|   | 2236-Nutrition                                                                                           | 88357.40         | 0.00        | 88357.40         |
|   | <b>Total I. Revenue Account</b>                                                                          | <b>173042.40</b> | <b>0.00</b> | <b>173042.40</b> |
|   | <b>II. CAPITAL ACCOUNT</b>                                                                               |                  |             |                  |
|   | 4225-Capital Outlay On Welfare Of<br>Scheduled Castes, Scheduled<br>Tribes And Other Backward<br>Classes | 45.00            | 0.00        | 45.00            |
|   | 4235-Capital Outlay On Social<br>Security And Welfare                                                    | 1970.69          | 0.00        | 1970.69          |
|   | 4236-Capital Outlay On<br>Nutrition                                                                      | 27987.00         | 0.00        | 27987.00         |
|   | <b>Total II. Capital Account</b>                                                                         | <b>30002.69</b>  | <b>0.00</b> | <b>30002.69</b>  |
|   | <b>Total Demand No. 18</b>                                                                               | <b>203045.09</b> | <b>0.00</b> | <b>203045.09</b> |

**19. Housing And Urban  
Development Department**

**I. Revenue Account**

|  |                                 |                 |             |                 |
|--|---------------------------------|-----------------|-------------|-----------------|
|  | 2217-Urban Development          | 73248.36        | 0.00        | 73248.36        |
|  | <b>Total I. Revenue Account</b> | <b>73248.36</b> | <b>0.00</b> | <b>73248.36</b> |

**II. CAPITAL ACCOUNT**

|  |                                |         |      |         |
|--|--------------------------------|---------|------|---------|
|  | 4216-Capital Outlay On Housing | 5126.00 | 0.00 | 5126.00 |
|--|--------------------------------|---------|------|---------|

| 1                                        | 2 | 3                | 4           | 5                |
|------------------------------------------|---|------------------|-------------|------------------|
| <hr/>                                    |   |                  |             |                  |
| 4217-Capital Outlay On Urban Development |   | 164321.79        | 0.00        | 164321.79        |
| <hr/>                                    |   |                  |             |                  |
| <b>Total II. Capital Account</b>         |   | <b>169447.79</b> | <b>0.00</b> | <b>169447.79</b> |
| <hr/>                                    |   |                  |             |                  |
| <b>Total Demand No. 19</b>               |   | <b>242696.15</b> | <b>0.00</b> | <b>242696.15</b> |
| <hr/>                                    |   |                  |             |                  |
| <b>20. Tourism Department</b>            |   |                  |             |                  |
| <b>I. REVENUE ACCOUNT</b>                |   |                  |             |                  |
| 3452-Tourism                             |   | 13746.76         | 0.00        | 13746.76         |
| <hr/>                                    |   |                  |             |                  |
| <b>Total I. Revenue Account</b>          |   | <b>13746.76</b>  | <b>0.00</b> | <b>13746.76</b>  |
| <hr/>                                    |   |                  |             |                  |
| <b>II. CAPITAL ACCOUNT</b>               |   |                  |             |                  |
| 5452-Capital Outlay On Tourism           |   | 43018.89         | 0.00        | 43018.89         |
| <hr/>                                    |   |                  |             |                  |
| <b>Total II. Capital Account</b>         |   | <b>43018.89</b>  | <b>0.00</b> | <b>43018.89</b>  |
| <hr/>                                    |   |                  |             |                  |
| <b>Total Demand No. 20</b>               |   | <b>56765.65</b>  | <b>0.00</b> | <b>56765.65</b>  |
| <hr/>                                    |   |                  |             |                  |
| <b>21. Forest Department</b>             |   |                  |             |                  |
| <b>I. REVENUE ACCOUNT</b>                |   |                  |             |                  |
| 2402-Soil And Water Conservation         |   | 5566.18          | 0.00        | 5566.18          |
| 2406-Forestry And Wildlife               |   | 70303.46         | 0.00        | 70303.46         |
| 3435-Ecology And Environment             |   | 2699.62          | 0.00        | 2699.62          |
| <hr/>                                    |   |                  |             |                  |
| <b>Total I. Revenue Account</b>          |   | <b>78569.26</b>  | <b>0.00</b> | <b>78569.26</b>  |
| <hr/>                                    |   |                  |             |                  |

| 1                                                                        | 2               | 3           | 4               | 5 |
|--------------------------------------------------------------------------|-----------------|-------------|-----------------|---|
| <b>II. CAPITAL ACCOUNT</b>                                               |                 |             |                 |   |
| 4402-Capital Outlay On Soil And<br>Water Conservation                    | 421.00          | 0.00        | 421.00          |   |
| 4406-Capital Outlay On Forestry<br>And Wildlife                          | 13004.47        | 0.00        | 13004.47        |   |
| 5425-Capital Outlay On Other<br>Scientific And Environmental<br>Research | 261.27          | 0.00        | 261.27          |   |
| <b>Total II. Capital Account</b>                                         | <b>13686.74</b> | <b>0.00</b> | <b>13686.74</b> |   |
| <b>Total Demand No. 21</b>                                               | <b>92256.00</b> | <b>0.00</b> | <b>92256.00</b> |   |

**22. Irrigation Department****I. REVENUE ACCOUNT**

|                                    |                 |             |                 |
|------------------------------------|-----------------|-------------|-----------------|
| 2700-Major Irrigation              | 1001.40         | 0.00        | 1001.40         |
| 2701-Medium Irrigation             | 8802.42         | 0.00        | 8802.42         |
| 2702-Minor Irrigation              | 49837.16        | 0.00        | 49837.16        |
| 2711-Flood Control And<br>Drainage | 12177.86        | 0.00        | 12177.86        |
| <b>Total I. Revenue Account</b>    | <b>71818.84</b> | <b>0.00</b> | <b>71818.84</b> |

**II. CAPITAL ACCOUNT**

|                                             |          |      |          |
|---------------------------------------------|----------|------|----------|
| 4701-Capital Outlay On<br>Medium Irrigation | 10783.51 | 0.00 | 10783.51 |
| 4702-Capital Outlay On Minor<br>Irrigation  | 24734.75 | 0.00 | 24734.75 |

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| 1                                                  | 2                | 3           | 4                | 5 |
|----------------------------------------------------|------------------|-------------|------------------|---|
| 4711-Capital Outlay On Flood Control Projects      | 118417.52        | 0.00        | 118417.52        |   |
| <b>Total II. Capital Account</b>                   | <b>153935.78</b> | <b>0.00</b> | <b>153935.78</b> |   |
| <b>Total Demand No. 22</b>                         | <b>225754.62</b> | <b>0.00</b> | <b>225754.62</b> |   |
| <b>23. Public Health Engineering Department</b>    |                  |             |                  |   |
| <b>I. REVENUE ACCOUNT</b>                          |                  |             |                  |   |
| 2055-Police                                        | 908.60           | 0.00        | 908.60           |   |
| 2215-Water Supply And Sanitation                   | 150246.92        | 0.00        | 150246.92        |   |
| <b>Total I. Revenue Account</b>                    | <b>151155.52</b> | <b>0.00</b> | <b>151155.52</b> |   |
| <b>II. CAPITAL ACCOUNT</b>                         |                  |             |                  |   |
| 4215-Capital Outlay On Water Supply And Sanitation | 65840.18         | 0.00        | 65840.18         |   |
| <b>Total II. Capital Account</b>                   | <b>65840.18</b>  | <b>0.00</b> | <b>65840.18</b>  |   |
| <b>Total Demand No. 23</b>                         | <b>216995.70</b> | <b>0.00</b> | <b>216995.70</b> |   |
| <b>24. Hospitality &amp; Protocol Department</b>   |                  |             |                  |   |
| <b>I. REVENUE ACCOUNT</b>                          |                  |             |                  |   |
| 2055-Police                                        | 9010.00          | 0.00        | 9010.00          |   |
| 2059-Public Works                                  | 581.23           | 0.00        | 581.23           |   |
| 2070-Other Administrative Services                 | 3683.70          | 0.00        | 3683.70          |   |

| 1                                             | 2                                              | 3               | 4           | 5               |
|-----------------------------------------------|------------------------------------------------|-----------------|-------------|-----------------|
|                                               | 2216-Housing                                   | 9079.00         | 0.00        | 9079.00         |
|                                               | <b>Total I. Revenue Account</b>                | <b>22353.93</b> | <b>0.00</b> | <b>22353.93</b> |
|                                               | <b>II. CAPITAL ACCOUNT</b>                     |                 |             |                 |
|                                               | 4059-Capital Outlay On Public Works            | 4346.00         | 0.00        | 4346.00         |
|                                               | <b>Total II. Capital Account</b>               | <b>4346.00</b>  | <b>0.00</b> | <b>4346.00</b>  |
|                                               | <b>Total Demand No. 24</b>                     | <b>26699.93</b> | <b>0.00</b> | <b>26699.93</b> |
| <b>25. Stationery and Printing Department</b> |                                                |                 |             |                 |
|                                               | <b>I. REVENUE ACCOUNT</b>                      |                 |             |                 |
|                                               | 2058-Stationery And Printing                   | 4346.55         | 0.00        | 4346.55         |
|                                               | 2230-Labour & Employment                       | 4881.87         | 0.00        | 4881.87         |
|                                               | <b>Total I. Revenue Account</b>                | <b>9228.42</b>  | <b>0.00</b> | <b>9228.42</b>  |
|                                               | <b>II. CAPITAL ACCOUNT</b>                     |                 |             |                 |
|                                               | 4058-Capital Outlay On Stationery And Printing | 369.21          | 0.00        | 369.21          |
|                                               | 4250-Capital Outlay On Other Social Services   | 5131.05         | 0.00        | 5131.05         |
|                                               | <b>Total II. Capital Account</b>               | <b>5500.26</b>  | <b>0.00</b> | <b>5500.26</b>  |
|                                               | <b>Total Demand No. 25</b>                     | <b>14728.68</b> | <b>0.00</b> | <b>14728.68</b> |

| 1                                | 2       | 3               | 4           | 5               |
|----------------------------------|---------|-----------------|-------------|-----------------|
| <b>26. Fisheries Department</b>  |         |                 |             |                 |
| <b>I. REVENUE ACCOUNT</b>        |         |                 |             |                 |
| 2405-Fisheries                   |         | 9421.86         | 0.00        | 9421.86         |
| <b>Total I. Revenue Account</b>  |         | <b>9421.86</b>  | <b>0.00</b> | <b>9421.86</b>  |
| <b>II. CAPITAL ACCOUNT</b>       |         |                 |             |                 |
| 4405-Capital Outlay On Fisheries | 1539.25 |                 | 0.00        | 1539.25         |
| <b>Total II. Capital Account</b> |         | <b>1539.25</b>  | <b>0.00</b> | <b>1539.25</b>  |
| <b>Total Demand No. 26</b>       |         | <b>10961.11</b> | <b>0.00</b> | <b>10961.11</b> |

**27. Higher Education Department**

|                                                                 |                  |                  |             |                  |
|-----------------------------------------------------------------|------------------|------------------|-------------|------------------|
| <b>I. REVENUE ACCOUNT</b>                                       |                  |                  |             |                  |
| 2202-General Education                                          | 101248.29        |                  | 0.00        | 101248.29        |
| 2203-Technical Education                                        | 1957.60          |                  | 0.00        | 1957.60          |
| <b>Total I. Revenue Account</b>                                 | <b>103205.89</b> |                  | <b>0.00</b> | <b>103205.89</b> |
| <b>II. CAPITAL ACCOUNT</b>                                      |                  |                  |             |                  |
| 4202-Capital Outlay On<br>Education, Sports, Art And<br>Culture | 22015.00         |                  | 0.00        | 22015.00         |
| <b>Total II. Capital Account</b>                                |                  | <b>22015.00</b>  | <b>0.00</b> | <b>22015.00</b>  |
| <b>Total Demand No. 27</b>                                      |                  | <b>125220.89</b> | <b>0.00</b> | <b>125220.89</b> |



| 1                                                         | 2 | 3                | 4           | 5                |
|-----------------------------------------------------------|---|------------------|-------------|------------------|
| <b>28. Rural Development Department</b>                   |   |                  |             |                  |
| <b>I. REVENUE ACCOUNT</b>                                 |   |                  |             |                  |
| 2236-Nutrition                                            |   | 792.35           | 0.00        | 792.35           |
| 2501-Special Programmes For Rural Development             |   | 1567.91          | 0.00        | 1567.91          |
| 2515-Other Rural Development Programmes                   |   | 41519.61         | 0.00        | 41519.61         |
| <b>Total I. Revenue Account</b>                           |   | <b>43879.87</b>  | <b>0.00</b> | <b>43879.87</b>  |
| <b>II. CAPITAL ACCOUNT</b>                                |   |                  |             |                  |
| 4515-Capital Outlay On Other Rural Development Programmes |   | 333133.72        | 0.00        | 333133.72        |
| <b>Total II. Capital Account</b>                          |   | <b>333133.72</b> | <b>0.00</b> | <b>333133.72</b> |
| <b>Total Demand No. 28</b>                                |   | <b>377013.59</b> | <b>0.00</b> | <b>377013.59</b> |
| <b>29. Transport Department</b>                           |   |                  |             |                  |
| <b>I. REVENUE ACCOUNT</b>                                 |   |                  |             |                  |
| 2041-Taxes On Vehicles                                    |   | 1887.56          | 0.00        | 1887.56          |
| 2070-Other Administrative Services                        |   | 4821.86          | 0.00        | 4821.86          |
| <b>Total I. Revenue Account</b>                           |   | <b>6709.42</b>   | <b>0.00</b> | <b>6709.42</b>   |

| 1                                                                                               | 2               | 3           | 4               | 5 |
|-------------------------------------------------------------------------------------------------|-----------------|-------------|-----------------|---|
| <b>II. CAPITAL ACCOUNT</b>                                                                      |                 |             |                 |   |
| 4059-Capital Outlay On Public Works                                                             | 600.00          | 0.00        | 600.00          |   |
| 5055-Capital Outlay On Road Transport                                                           | 775.00          | 0.00        | 775.00          |   |
| 7055-Loans For Road Transport                                                                   | 3000.00         | 0.00        | 3000.00         |   |
| <b>Total II. Capital Account</b>                                                                | <b>4375.00</b>  | <b>0.00</b> | <b>4375.00</b>  |   |
| <b>Total Demand No. 29</b>                                                                      | <b>11084.42</b> | <b>0.00</b> | <b>11084.42</b> |   |
| <b>30. Tribal Affairs Department</b>                                                            |                 |             |                 |   |
| <b>I. REVENUE ACCOUNT</b>                                                                       |                 |             |                 |   |
| 2225-Welfare Of Scheduled Castes, Scheduled Tribes And Other Backward Classes                   | 5976.91         | 0.00        | 5976.91         |   |
| <b>Total I. Revenue Account</b>                                                                 | <b>5976.91</b>  | <b>0.00</b> | <b>5976.91</b>  |   |
| <b>II. CAPITAL ACCOUNT</b>                                                                      |                 |             |                 |   |
| 4225-Capital Outlay On Welfare Of Scheduled Castes, Scheduled Tribes And Other Backward Classes | 6645.00         | 0.00        | 6645.00         |   |
| <b>Total II. Capital Account</b>                                                                | <b>6645.00</b>  | <b>0.00</b> | <b>6645.00</b>  |   |
| <b>Total Demand No. 30</b>                                                                      | <b>12621.91</b> | <b>0.00</b> | <b>12621.91</b> |   |

| 1                                                               | 2               | 3           | 4               | 5 |
|-----------------------------------------------------------------|-----------------|-------------|-----------------|---|
| <b>31. Culture Department</b>                                   |                 |             |                 |   |
| <b>I. REVENUE ACCOUNT</b>                                       |                 |             |                 |   |
| 2202-General Education                                          | 468.50          | 0.00        | 468.50          |   |
| 2205-Art And Culture                                            | 5734.92         | 0.00        | 5734.92         |   |
| 3452-Tourism                                                    | 191.00          | 0.00        | 191.00          |   |
| 3454-Census Surveys And<br>Statistics                           | 133.05          | 0.00        | 133.05          |   |
| <b>Total I. Revenue Account</b>                                 | <b>6527.47</b>  | <b>0.00</b> | <b>6527.47</b>  |   |
| <b>II. CAPITAL ACCOUNT</b>                                      |                 |             |                 |   |
| 4202-Capital Outlay On<br>Education, Sports,<br>Art and Culture | 1555.00         | 0.00        | 1555.00         |   |
| <b>Total II. Capital Account</b>                                | <b>1555.00</b>  | <b>0.00</b> | <b>1555.00</b>  |   |
| <b>Total Demand No. 31</b>                                      | <b>8082.47</b>  | <b>0.00</b> | <b>8082.47</b>  |   |
| <b>32. Horticulture Department</b>                              |                 |             |                 |   |
| <b>I. REVENUE ACCOUNT</b>                                       |                 |             |                 |   |
| 2236-Nutrition                                                  | 473.35          | 0.00        | 473.35          |   |
| 2401-Crop Husbandry                                             | 13394.32        | 0.00        | 13394.32        |   |
| 2435-Other Agricultural<br>Programme                            | 3107.86         | 0.00        | 3107.86         |   |
| <b>Total I. Revenue Account</b>                                 | <b>16975.53</b> | <b>0.00</b> | <b>16975.53</b> |   |

| 1                                                                    | 2                | 3           | 4                | 5 |
|----------------------------------------------------------------------|------------------|-------------|------------------|---|
| <b>II. CAPITAL ACCOUNT</b>                                           |                  |             |                  |   |
| 4401-Capital Outlay On Crop Husbandry                                | 31527.70         | 0.00        | 31527.70         |   |
| <b>Total II. Capital Account</b>                                     | <b>31527.70</b>  | <b>0.00</b> | <b>31527.70</b>  |   |
| <b>Total Demand No. 32</b>                                           | <b>48503.23</b>  | <b>0.00</b> | <b>48503.23</b>  |   |
| <b>33. Disaster Management, Relief, Rehab. &amp; Reconst. Deptt.</b> |                  |             |                  |   |
| <b>I. REVENUE ACCOUNT</b>                                            |                  |             |                  |   |
| 2055-Police                                                          | 42544.75         | 0.00        | 42544.75         |   |
| 2235-Social Security & Welfare                                       | 37.42            | 0.00        | 37.42            |   |
| 2245-Relief On Account Of Natural Calamities                         | 31095.35         | 0.00        | 31095.35         |   |
| <b>Total I. Revenue Account</b>                                      | <b>73677.52</b>  | <b>0.00</b> | <b>73677.52</b>  |   |
| <b>II. CAPITAL ACCOUNT</b>                                           |                  |             |                  |   |
| 4235-Capital Outlay On Social Security And Welfare                   | 52621.23         | 0.00        | 52621.23         |   |
| <b>Total II. Capital Account</b>                                     | <b>52621.23</b>  | <b>0.00</b> | <b>52621.23</b>  |   |
| <b>Total Demand No. 33</b>                                           | <b>126298.75</b> | <b>0.00</b> | <b>126298.75</b> |   |

| 1                                                                        | 2               | 3           | 4               | 5 |
|--------------------------------------------------------------------------|-----------------|-------------|-----------------|---|
| <b>34. Youth Services &amp; Technical Education</b>                      |                 |             |                 |   |
| <b>I. REVENUE ACCOUNT</b>                                                |                 |             |                 |   |
| 2203-Technical Education                                                 | 15346.32        | 0.00        | 15346.32        |   |
| 2204-Sports And Youth Services                                           | 30250.70        | 0.00        | 30250.70        |   |
| \ 2230-Labour & Employment                                               | 2145.25         | 0.00        | 2145.25         |   |
| <b>Total I. Revenue Account</b>                                          | <b>47742.27</b> | <b>0.00</b> | <b>47742.27</b> |   |
| <b>II. CAPITAL ACCOUNT</b>                                               |                 |             |                 |   |
| 4202-Capital Outlay On<br>Education, Sports,<br>Art And Culture          | 21608.39        | 0.00        | 21608.39        |   |
| 4250-Capital Outlay On<br>Other Social Services                          | 987.00          | 0.00        | 987.00          |   |
| <b>Total II. Capital Account</b>                                         | <b>22595.39</b> | <b>0.00</b> | <b>22595.39</b> |   |
| <b>Total Demand No. 34</b>                                               | <b>70337.66</b> | <b>0.00</b> | <b>70337.66</b> |   |
| <b>35. Science &amp; Technology Department</b>                           |                 |             |                 |   |
| <b>I. REVENUE ACCOUNT</b>                                                |                 |             |                 |   |
| 3435-Ecology And Environment                                             | 1381.55         | 0.00        | 1381.55         |   |
| <b>Total I. Revenue Account</b>                                          | <b>1381.55</b>  | <b>0.00</b> | <b>1381.55</b>  |   |
| <b>II. CAPITAL ACCOUNT</b>                                               |                 |             |                 |   |
| 5425-Capital Outlay On Other<br>Scientific And<br>Environmental Research | 41492.50        | 0.00        | 41492.50        |   |
| <b>Total II. Capital Account</b>                                         | <b>41492.50</b> | <b>0.00</b> | <b>41492.50</b> |   |
| <b>Total Demand No. 35</b>                                               | <b>42874.05</b> | <b>0.00</b> | <b>42874.05</b> |   |

| 1                                      | 2 | 3              | 4           | 5              |
|----------------------------------------|---|----------------|-------------|----------------|
| <b>36. Cooperative Department</b>      |   |                |             |                |
| <b>I. REVENUE ACCOUNT</b>              |   |                |             |                |
| 2425-Co-operation                      |   | 7245.86        | 0.00        | 7245.86        |
| <b>Total I. Revenue Account</b>        |   | <b>7245.86</b> | <b>0.00</b> | <b>7245.86</b> |
| <b>II. Capital Account</b>             |   |                |             |                |
| 4425-Capital Outlay On<br>Co-operation |   | 405.00         | 0.00        | 405.00         |
| <b>Total II. Capital Account</b>       |   | <b>405.00</b>  | <b>0.00</b> | <b>405.00</b>  |
| <b>Total Demand No. 36</b>             |   | <b>7650.86</b> | <b>0.00</b> | <b>7650.86</b> |

*Summary*

|                                  | Voted             | Charged           | Total              |
|----------------------------------|-------------------|-------------------|--------------------|
| <b>Total Revenue Account</b>     | <b>5149023.40</b> | <b>701200.60</b>  | <b>5850224.00</b>  |
| <b>Total Capital Account</b>     | <b>2693578.01</b> | <b>1735568.00</b> | <b>4429146.01</b>  |
| <b>Grand Total (All Demands)</b> | <b>7842601.41</b> | <b>2436768.60</b> | <b>10279370.01</b> |

SATYA PAL MALIK,

Governor.

(Sd.) ASHISH GUPTA,

Deputy Legal Remembrancer,  
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK 33



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Jammu, Sun., the 16th Dec., 2018/25th Agra., 1940. [No. 37-11

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**PART III**

**Laws, Regulations and Rules passed thereunder.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIATô DEPARTMENT OF LAW,  
JUSTICE AND PARLIAMENTARY AFFAIRS

(Legislation Section)

Jammu, the 16th December, 2018.

The following Act has been assented to by the Governor on 16th  
December, 2018 and is hereby published for general information :ô

THE JAMMU AND KASHMIR BOVINE BREEDING  
(REGULATION OF PRODUCTION, SALE OF BOVINE  
SEMEN AND ARTIFICIAL INSEMINATION SERVICES)  
ACT, 2018.

(Governor Act No. LI of 2018)

[16th December 2018]

Enacted by the Governor in the Sixty-ninth Year of the Republic of  
India.

An Act to regulate bovine breeding activities including use of bovine breeding bulls for production of bovine semen, production, processing, storage, sale and distribution of bovine semen, and artificial insemination services in bovines for improving the productivity of bovines in the State of and for matters connected therewith or incidental thereto.

In exercise of the powers vested under Proclamation No. P-1/18 of 2018 dated 20th of June, 2018, the Governor is pleased to enact as follows :

õ

## CHAPTER I

### Preliminary

1. *Short title and commencement.* This Act may be called the Jammu and Kashmir Bovine Breeding (Regulation of Production, Sale of Bovine Semen and Artificial Insemination Services) Act, 2018.

(2) It shall come into force on such date as may be specified by the Government, by notification in the Government Gazette.

2. *Definitions.* In this Act, unless the context otherwise requires,

- (a) "Act" means the Jammu and Kashmir Bovine Breeding (Regulation of Production, Sale of Bovine Semen and Artificial Insemination Services) Act, 2018 ;
- (b) "AI Technician" means a person who possesses requisite qualification, skill and experience, as prescribed by the Authority, to perform artificial insemination in bovines ;
- (c) "Artificial Insemination" or "AI" means the process of depositing bovine semen in the body of the uterus of a mature bovine female with the intention of making it pregnant ;
- (d) "Artificial Insemination Service Provider" means Livestock Development Boards who undertakes artificial insemination service in bovines ;



- (e) "Authority" means the Bovine Breeding Authority constituted under section 3 of the Act ;
- (f) "Bovine Breeding" means breeding activities in bovines that include the use of bovine bulls for natural service, production, processing, storage and distribution of bovine semen, providing AI services to bovines and use of Embryo transfer technology for breeding of bovines ;
- (g) "Bovine" means and include cow, bull, bullock and buffalo (male or female) ;
- (h) "Bull Keeper" means any Government/private agency or person who has been provided a breeding bull by the Livestock Development Board for Bovine breeding in the area concerned ;
- (i) "Livestock Breeding Policy" means a policy duly notified by the Government, for maintaining and developing different livestock breeds especially bovine breeds in different agro-climatic zones of the State and a mechanism for enforcement of these policies in the State ;
- (j) "Livestock Development Board" means Livestock Development Board Kashmir and Livestock Development Board Jammu constituted by the Government from time to time :

Provided that any Board already constituted/established by the Government shall be deemed to be a Livestock Development Board constituted under the provisions of the Act ;

- (k) "Certified Bull" means a bovine bull meeting the prescribed standard for semen production and is included as certified bull, in the Certificate of Registration of a Semen Station or any Bovine Bull certified to be of prescribed standard for semen production by the Authority, from time to time ;

- (l) "Chairperson" means the Chairperson of the Authority ;
- (m) "Embryo" means a structure developed as a result of fusion of bovine male and female gametes ;
- (n) "Expert" means an expert who fulfils the requirements, as may be specified by the Authority ;
- (o) "Government" means Government of Jammu and Kashmir ;
- (p) "State Implementing Agency" means Jammu and Kashmir State Implementing Agency constituted/established by the Government under the provisions of the Act :

Provided that any State Implementing Agency already constituted/established by the Government shall be deemed to be State Implementing Agency constituted under the provisions of the Act ;

- (q) "Misbranded Semen" means a semen whose DNA profile does not match with DNA profile of the bull, mentioned in the record of Semen Bank or Semen Straw ;
- (r) "pedigree" means genealogical information showing the ancestral line of the bull/dam ;
- (s) "Premises" means any land, premises, yard, building, or vessel or vehicle or any other location that is used for bovine semen production and/or for providing bovine AI service ;
- (t) "Prescribed Standards" means the standards prescribed by the Authority, from time to time and to be adhered to by those seeking a certification of registration ;
- (u) "Recognized Laboratory" means the Northern Regional Disease Diagnostic Laboratory, Jalandhar or any other National level laboratory, duly authorized by the Authority ;

- (v) "Registrar" means the Registrar of the Authority ;
- (w) "Registered Veterinary Practitioner" means a graduate in veterinary science registered under the Jammu and Kashmir State Veterinary Council Act, 2003 ;
- (x) "Semen" means the semen/sexed semen of cow, bull or buffalo bull in any form ;
- (y) "Semen Bank" means a premises, where a facility is setup for storage and distribution of bovine semen and/or liquid nitrogen ;
- (z) "Semen dose" means processed/diluted bovine semen packed in a French mini (0.25 ml capacity) or French medium (0.5 ml capacity) properly sealed, plugged and printed straw ;
- (aa) "Semen Station" means a premises, where a facility is setup for production, processing and storage of bovine semen ;
- (bb) "services" means any of the bovine breeding services, as may be specified by the Government ;
- (cc) "Quarantine station" means the premises where breeding bulls are kept for a minimum period as per the SOP before introduction in semen station or main premises of breeding bull rearing station ; and
- (dd) "Veterinarian" means a registered veterinary practitioner as defined in the Indian Veterinary Council Act, 1984 (Central Act No. 52 of 1984) and the Jammu and Kashmir State Veterinary Council Act, 2003.

## CHAPTER II

### **Appointment and Functions of Authority**

3. *Bovine Breeding Authority.* (1) The Government may by notification constitute and appoint an Authority to be known as the Bovine Breeding Authority to exercise the powers conferred on and perform the functions assigned to it under the Act.

(2) The Authority shall consist of the following members :ô

- |                                                                                                                                                                                 |           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| (a) Chairman, Jammu and Kashmir State Chairperson<br>Implementing Agency                                                                                                        |           |
| (b) Member Secretary Jammu and Kashmir<br>State Implementing Agency                                                                                                             | Registrar |
| (c) Director Animal Husbandry Department<br>Kashmir/Jammu                                                                                                                       | Member    |
| (d) Joint Commissioner, Animal Husbandry,<br>Department of Animal Husbandry, Dairying,<br>and Fisheries, Ministry of Agriculture<br>and Farmerø Welfare, Government of<br>India | Member    |
| (e) Dean FVSc & AH SKUAST-K                                                                                                                                                     | Member    |
| (f) Dean FVSc & AH SKUAST-J                                                                                                                                                     | Member    |
| (g) Chief Executive Officer Livestock<br>Development Board Kashmir/Jammu                                                                                                        | Member    |
| (h) Eminent Animal Breeding Scientist to be<br>nominated by the Government                                                                                                      | Member    |
| (i) Eminent veterinarian to be nominated<br>by the Government.                                                                                                                  | Member    |

(3) The affairs of the Authority shall be managed and administered by the Registrar.

(4) The Authority shall draw-up a consultative panel of experts consisting of not more than nine members. Out of the panel of experts, the Authority shall form Committee(s) of not more than three members which shall perform such functions, as may be required by the Authority. The members of such Committee(s) shall be entitled for such honorarium, travelling allowance and daily allowance, as may be prescribed.

(5) The nominated members of the Authority, shall hold office for a term of three years from the date of their nomination and shall be eligible for reappointment of further period of three years.

4. *Duties of Authority.*— The Authority shall advise the Government on all matters related to fixing prescribed standards and evaluation procedures for breeding bulls, semen stations, storage and distribution of bovine semen and artificial insemination services and prescribing training curriculum, qualification and experience of AI technicians and recognition of the training institutes.

5. *Headquarter of the Authority.*— The headquarter of the Authority shall be at the office of the Chairman, Jammu and Kashmir State Implementing Agency/Administrative Secretary, Animal, Sheep Husbandry and Fisheries Department.

6. *Meetings of the Authority.*— (1) The Authority shall meet at such time and place as the Registrar may determine in consultation with the Chairperson and shall observe such procedure with regard to the transaction of its business at such meetings, as may be prescribed.

(2) The quorum necessary for the transaction of business at a meeting shall be six members.

7. *Functions of the Authority.*— The Authority shall be responsible ,ô

- (a) to implement Breeding Policy and services in the State ;
- (b) to regulate the storage, sale and use of semen or embryos produced within or outside the State or imported from any other country ;
- (c) to certify bovine bulls, which meet the standards, as may be prescribed by the Authority ;
- (d) to register semen stations in the State as per the provisions laid down in Chapter III of the Act ;
- (e) to register semen banks in the State ;

- (f) to register and certify the trained Private AI technician other than veterinarian and existing Para-vets (trained in Stock Assistant Training Institutes of State of Animal Husbandry Department, Jammu and Kashmir) for operating bovine breeding activities in the State through appropriate Standard Operative Procedures prescribed by the Authority ;
- (g) to register and certify the bull keepers, using bulls for bovine breeding activities by way of natural mating in the State through appropriate Standard Operative Procedures to be laid down by the Authority ; and
- (h) to perform such other functions concerning bovine breeding, as may be prescribed.

8. *Experts and other persons of the Authority.*ô The Authority shall discharge its duties through the staff of Animal Husbandry Department, Jammu/Kashmir. It may also outsource or get on deputation such number of officers and experts with veterinary qualifications and experience, as may be prescribed, as it may consider necessary for the efficient discharge of its functions.

9. *Jurisdiction and Powers of the Authority.*—(1) Subject to the provisions of the Act and the rules made thereunder, the Authority shall have jurisdiction all over the State of Jammu and Kashmir in respect of bovine breeding activities.

(2) For the discharge of the functions conferred on the Authority under the Act, the Authority or any officer empowered by it in this behalf, shall have the power to obtain any required information from any semen station, semen bank or related person engaged in bovine breeding activities.

(3) The Authority shall have the power to give directions requiring any person incharge of any premises, where any activity relating to bovine breeding is carried out or who in its opinion is contravening any of the provisions of the Act or the rules made thereunder, to furnish such information and in such form, as may be specified by it.

### CHAPTER III

#### **Registration of Semen Stations and Semen Banks and Certification of Bulls and Trained AI Workers**

10. *Registration of Semen Stations.*— (1) On and from the date of commencement of the Act, no person (including any Firm, Limited Liability Partnership (LLP), Company, Producer Company, Institution, NGO, Breeders' Association, Trust, Department of the State Government, Co-operative Society or any other agency), shall establish and operate a semen station for production and storage of semen doses for artificial insemination or production and transfer of embryos without obtaining a certificate of registration from the Authority.

(2) Any person who desires to establish and operate a new semen station, shall make an application for registration or renewal in such form along with such fee, as may be prescribed.

(3) The existing semen stations shall apply to the Authority for grant of certificate of registration in such form along with such fee, as may be prescribed, within three months from the date of commencement of the Act. They shall also declare the current stock of semen along with such other details as may be required in the form.

(4) Applicants intending to set-up a new semen station or the existing semen stations, who have submitted an application form along with prescribed fee to the Authority, shall be issued a provisional certificate of registration to meet the conditions specified in sub-section (6) of this section. The provisional certificate of registration shall be valid for a period of twelve months and shall be extended for a further period of six months on the request of the applicant, in writing. The Authority shall reply within one month about the status of extension.

(5) For the grant of certificate of registration for a new semen station or the existing semen station, the applicant shall make a written request to the Authority for inspection within the above twelve months or the extended period of six months, whichever applicable. The Authority shall thereupon, send a Committee of Experts from the consultative panel for such inspection.

(6) The Authority, after satisfying itself that ,ô

(i) the semen stationô

- (a) has premises for the quarantine of bovine bulls, as may be prescribed by the Authority ;
- (b) has premises for the rearing and housing of bulls and the collection, processing, quality control, storage, distribution and quarantine of semen doses as may be prescribed by the Authority ; and
- (c) has premises for the storage of semen doses as may be prescribed by the Authority ;

(ii) every bull, used in the semen station for production of semen dosesô

- (a) has tested negative to the tests as may be prescribed by the Authority :
  - (A) prior to its entry to a quarantine station ;
  - (B) during quarantine period at a quarantine station ;
  - (C) during rearing at a rearing station ; and
  - (D) at the semen station ;
- (b) conforms to breed characteristics of the permitted breeds only as may be specified in the breeding policy and meets the minimum standards for various traits in terms of quantity and quality as may be specified by the Authority or the Government from time to time ;

(iii) the semen station maintains accurate details of the bull, whose semen doses it would like to produce, store, sell,



distribute or proposes to distribute for artificial insemination in a format, as may be prescribed ;

shall grant the certificate of registration to a new semen station or the existing semen station clearly specifying the name and address of the semen station, registration number of the semen station, Unique Identification Number of certified bulls to be used for semen production, name of the incharge of the semen station and such terms and conditions, as it may deem fit.

(7) The certificate of registration granted to semen station shall be valid for a period of two years from the date of its issue.

(8) The semen station shall, in such form along with such fee, as may be prescribed, apply for renewal of registration to the Authority at least three months prior to the expiry of the certificate of registration. The Authority after satisfying itself that the conditions specified in sub-section (6) with regard to certificate of registration have been adhered to, shall renew the registration for a further period of two years, within three months from the date of receipt of application. If the renewal certificate is not issued within three months, approval shall be deemed to have been accorded, unless communicated otherwise.

(9) Any new bovine bull that meets the standards for semen production shall not be inducted in the semen station for semen production without the prior approval and necessary certification from the Authority. Death/culling of certified bull shall be informed to the Authority.

(10) The Authority may, after giving the applicant an opportunity of being heard and for reasons to be recorded in writing, refuse to grant or renew the certificate of registration.

(11) The Authority shall send a Committee of Experts to inspect a semen station as and when desired, but at least once in a year, to ensure compliance of the conditions specified in the certificate of registration.

11. *Registration of Semen Banks.* (1) On and from the date of commencement of the Act, no person (including any Firm, Limited Liability Partnership, Company, Producer Company, Institution, NGO, Breeders' Association, Trust, Department of the State Government, Co-operative Society or any other agency), shall establish and operate a semen bank without obtaining a certificate of registration from the Authority.

(2) The certificate of registration referred to in sub-section (1) shall be issued in such manner and subject to such conditions, as may be prescribed.

12. *Certification of Bulls.* (1) On and from the date of commencement of the Act, no new semen station shall use bull for semen production and no agency Government or private shall use bull for natural mating other than those certified by the Authority.

(2) The bulls shall be certified by the Authority in such manner and subject to such conditions, as may be specified by the Government.

(3) The Authority shall generate a Unique Identification Number for each certified bull and it shall be mandatory for the semen stations to tag this Unique Identification Number securely and permanently to the certified bulls at all times.

(4) The bulls of different breeds used for semen production or natural mating shall be selected for induction as per the prescribed guidelines issued by Authority or Government.

(5) The AI bulls or natural service bulls shall be procured from certified bull production programmes approved by the Government.

(6) The testing of the AI bulls/natural service bulls shall be carried out by Semen Station/Government or private agency as per the prescribed guidelines on yearly basis by the team of experts selected by the Authority for the purpose.

13. *Certification/Registration of Trained Private AI workers.*—

(1) The trained AI Technician shall be certified/registered by the Authority in such manner and subject to such conditions, as may be specified by the Government.

(2) On and from the date of commencement of the Act, no person shall act as AI technician and provide his services for any agency unless he ,ô

(a) possesses requisite qualification and experience as prescribed by the Authority ;

(b) has undergone the prescribed training from any recognised Training Institutes ; and

(c) has registered himself with the Authority or Government.

(3) On an application by Private AI technician as per the prescribed format by the Government along with the supporting documents of his qualification and experience, the Authority or the Government provider shall register with them, the AI technicians who possess requisite qualification and experience as prescribed by the Authority and have undergone the prescribed training from any recognised AI Training Institute, and shall issue a certificate of registration on payment of fee and as per the format prescribed by the Government.

(4) The existing private AI technicians, within one year from the date of commencement of the Act, shall undertake the required training from the recognised training institute if not trained. The AI technician, after giving an undertaking-cum-affidavit as per the requirements of the Authority, shall be allowed to register himself as provided under sub-section (2).

(5) The AI technicians shall perform Artificial Insemination as per the procedure and guidelines issued by the Authority and also as per the provisions of the State Breeding Policy and shall provide necessary information in the prescribed format to the nearest Government Veterinary Centre manned by a Veterinarian, failing which their registration shall be suspended till the necessary rectifications are carried out.

(6) The registered AI technician shall abide by the rules framed by the Authority from time to time failing which his registration shall be suspended with enforcement of penalties.

(7) The registered AI technician has to renew his registration after every year and complete all formalities for renewal including payment of renewal fee as prescribed by the Authority.

14. *Regulation of sale of Semen.*—(1) None shall sell or distribute or gift or transfer the semen/embryo to any person other than a person, as may be authorized by the Authority.

(2) No semen/embryo produced outside the State shall be allowed into the State to be sold, distributed or gifted for Artificial Insemination/transfer, except with the prior approval of the Authority to be granted in such manner and subject to such conditions, as may be prescribed.

(3) No semen/embryo shall be imported for Artificial Insemination/transfer in to the State from any other country, except with the prior approval of the Authority to be granted in such manner and subject to such conditions, as may be prescribed

15. *Issue of duplicate Registration Certificate.*—In case a certificate of registration or a certificate of renewal issued under the Act is defaced, lost or destroyed, the Authority, may, upon satisfaction, grant a duplicate certificate to the applicant on payment of such fee, as may be prescribed.

16. *Revocation of Certificate of Registration.*—If the Authority is satisfied, either on a reference made to it in this behalf or on the basis of inquiry report of a Committee of Experts constituted by the Authority or otherwise that ,ô

- (a) the certificate of registration granted by it under the Act to a Semen Station/Semen Bank/AI Technician has been obtained by misrepresentation or fraud ; or
- (b) the holder of the certificate of registration has, without reasonable cause, failed to comply with the terms and conditions subject to which the certificate has been granted or has contravened any of the provisions of the Act or

has not complied with such conditions, as may be prescribed ;

then, without prejudice to any other proceedings to which the holder of the certificate may be liable under the Act, the Authority, may, after giving the holder of the certificate of registration an opportunity to show causeó

- (i) whereunder the Act, any conditions have been imposed on any person, while granting the certificate of registration or renewal thereof, or under sections 10 and 12, and such person has failed to comply with such conditions, the Authority, after giving such person an opportunity of being heard, revoke the certificate of registration or renewal thereof and shall take such steps against such person, as may be prescribed ; or
- (ii) suspend the certificate of registration or renewal till the holder of the certificate complies with all the required conditions to the satisfaction of the Authority ; or
- (iii) take an undertaking from the holder of the certificate of registration, to comply with the provisions of the Act.

17. *Appeal.*ó (1) Any person aggrieved by an order of the Authority refusing to grant or renew a certificate of registration or revoking or suspending the certificate of registration under the provisions of the Act, may file an appeal before the Tribunal established under the Jammu and Kashmir Special Tribunal Act, 1988 (Act No. 19 of 1988).

(2) The Tribunal, after giving a reasonable opportunity of being heard to the applicant, shall decide the appeal, as expeditiously as possible, but within three months.

#### CHAPTER IV

18. *Power to Inspect Search and Seizure.*ó (1) The Authority or members of the Committee of Experts authorised by it in this behalf, with a view to ensure compliance with the terms and conditions of

the certificate of registration or any provisions of the Act, or for the purpose of inspection and inquiry, may,ô

- (a) enter, inspect and cause or conduct search of any premises in which it has reason to believe that any activity in contravention of the provisions of the Act is going on or there is any contravention of any of the provisions of the Act or rules made thereunder or the holder of certificate is doing activities in violation of the terms and conditions specified in the certificate of registration issued under the Act ;
- (b) collect samples of semen, blood or any other material used in semen production/bovine breeding from the premises/ custody of any semen station/semen bank/AI service provider/AI technician and have such samples analyzed from a recognized laboratory. All the stock of the semen which is from uncertified bull/below minimum standard as specified by the Government shall be destroyed immediately, semen processing equipment shall be sealed and registration of such semen station, AI service provider and AI technician shall be cancelled.

(2) The provisions of the Jammu and Kashmir Code of Criminal Procedure, Svt. 1989 (1933 A. D.) relating to search and seizure shall, as far as may be, apply to searches and seal/seizures under sub-section (1).

19. *Maintenance and Submission of Records.*ô (1) Every person who holds a certificate of registration under the Act shall maintain such books, accounts and records relating to his business transactions in such form, as may be specified by the Authority in this behalf.

(2) Every person who holds a certificate of registration for a semen station/semen bank shall submit to the Authority, an annual report, in duplicate, in respect of the Semen Station/Semen Bank in such form, as may be prescribed and with respect to new bulls proposed for certification whose semen is to be put on use in such form, as may be prescribed.

20. *Power to give direction.*ô Notwithstanding anything contained in any other law, but subject to the provisions of the Act, and to any

directions that the Government may give in this behalf, the Authority, may in exercise of its powers and performance of its functions under the Act, issue any directions in writing to any person, officer, or authority, which shall include the power to direct,ô

- (i) the closure, prohibition or regulation of any operation, process or activity related to bovine breeding ; or
- (ii) the stoppage or regulation of supply of electricity, water or any other service.

21. *Power to make application to Court for restraining bovine breeding activities in contravention of the Act.*—(1) Where it is apprehended by the Authority, that any person, firm, company or Non-Governmental Organization is engaged in the bovine breeding services or trading and supply of semen/embryo/providing breeding services in contravention of the provisions of the Act or rules made thereunder, the Authority or any officer authorized by it, may file a complaint in the Court of Judicial Magistrate, First Class for restraining the said person from carrying out the said activity.

(2) On receipt of an application under sub-section (1), the Court may pass an order restraining any such person, to carry out the said activity or give such directions or pass such order as it may deem fit.

22. *Penalties.*ô (1) Any person who contravenes or violates any provision of the Act or rules made thereunder, shall be punished with a fine up to one lakh rupees or with rigorous imprisonment up to one year, or both.

(2) The fine so imposed, may be recovered from the person concerned, as arrears of land revenue.

23. *Cognizance of Offences.*—(1) No court shall take cognizance of any offence under the Act, except on a complaint made by the Authority or any officer authorized by it in this behalf.

(2) No Court inferior to that of a Judicial Magistrate of the First Class shall try any offence punishable under the Act.

24. *Prosecution Sanction.*ô (1) No prosecution for offences punishable under the Act shall be instituted, except with the prior sanction of an officer authorized in this behalf by the Authority, by notification.

25. *Offence to be Cognizable.*ô The Production, possession, distribution, sale, transfer in any form, import, export or use of unauthorized semen or misbranded or sub-standard semen shall be a cognizable offence under the Act.

## CHAPTER V

### Miscellaneous

26. *Report of Recognized Laboratory.*—Any document purporting to be a report duly issued by a recognized laboratory may be used as evidence of the facts stated therein in any proceedings under the Act.

27. *Local Authorities to assist.*ô All local authorities shall render such help and assistance and furnish such information to the Authority, as it may require for discharge of its functions and shall make available for inspection and examination such records or documents, as may be necessary.

28. *Reports.*— The Authority shall furnish to the Government such reports, statistics, and other information with respect to its funds, activities or policies as required by the Government, from time to time.

29. *Expert, Officers and officials of the Authority to be public servants.*ô All experts, officers and officials of the Authority, when acting or purporting to act in pursuance of any of the provisions of the Act and the rules made thereunder shall be deemed to be public servants within the meaning of section 21 of the Ranbir Penal Code, Samvat 1989.

30. *Bar on Jurisdiction.*—No civil court shall have any jurisdiction in any matter, in respect of which the Government or any other person or Authority is empowered by the Act to take cognizance, and dispose



it of, and the manner in which the Government or such person or authority may exercise any power, vested in it or him by or under the Act.

31. *Protection of action taken in good faith.*—No suit or other legal proceedings shall lie against any member, officer or officials, of the Authority in respect of anything which is in good faith and public interest, done or intended to be done in pursuance of the Act or the rules made thereunder.

32. *Power of Government to make rules.*—(1) The Government may, by notification in the Government Gazette, make rules for carrying out the purposes of the Act.

(2) In particular and without prejudice to the generality of the foregoing powers, the Government may make such rules, as may provide for any other matter which has to be or may be prescribed.

(3) Every rule made under the Act shall be laid, as soon as may be, after it is made, before the House of the State Legislature, while it is in session, for a total period of fifteen days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the successive sessions as aforesaid, the House agrees in making any modification in the rules, or the House agrees, that the rules should not be made, the rules shall thereafter have effect only in such modified form or be of no effect, as the case may be. However, any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

33. *Power to remove difficulties.*ô (1) If any difficulty arises in giving effect to the provisions of the Act, the Government may, by an order published in the Government Gazette, make such provisions not inconsistent with the provisions of the Act as may appear to be necessary for removing the difficulty.

(2) The Government may issue such guidelines to the Authority as it deems fit for the purpose of implementation of the provisions of the Act.

34. *Funds of the Authority*.—The funds of the Authority shall be the budgetary allocation of the Department of Animal Husbandry, Jammu/Kashmir, Livestock Development Board, Jammu and Kashmir who will propose minimum fund requirement for the Authority in annual revenue budget.

SATYA PAL MALIK,

Governor.

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(Sd.) ASHISH GUPTA,

Deputy Legal Remembrancer,  
Department of Law, Justice and Parliamentary Affairs.

EXTRAORDINARY

REGD. NO. JK633



**THE  
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

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Vol. 131] Jammu, Thu., the 13th Dec., 2018/22nd Agra., 1940. [No. 37-4

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Separate paging is given to this part in order that it may be filed as a  
separate compilation.

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**PART III**

**Laws, Regulations and Rules passed thereunder.**

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GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT DEPARTMENT OF LAW, JUSTICE AND  
PARLIAMENTARY AFFAIRS  
(Legislation Section)

Jammu, the 13th December, 2018.

The following Act has been assented to by the Governor on  
13th December, 2018 and is hereby published for general information :

**THE JAMMU AND KASHMIR OMBUDSMAN FOR  
PANCHAYATS (AMENDMENT) ACT, 2018**

(Governor Act No. XLIV of 2018)

[13th December, 2018.]

Enacted by the Governor in the Sixty-ninth Year of the Republic of  
India.

